

IN RE: PETITION FOR ADMIN. VARIANCE  
W/S of Winterset Avenue, 450' N  
of the centerline of Terrapin Road  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Councilmanic District  
(7906 Winterset Avenue)

Joel L. & Jane R. Weber  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 00-083-A

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Joel L. & Jane R. Weber, property owners, for that property known as 7906 Winterset Avenue in the Dumbarton area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 205.3 old Regs.) to allow a sideyard setback of 3 ft. in lieu of the minimum required 11.25 ft. for an open projection (carport). 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.

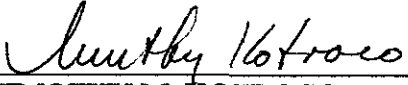
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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.

ORDER RECEIVED FOR FILING  
Date 9/30/99  
By J.R. Simpson

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 30<sup>th</sup> day of September, 1999 that a variance from Section 1B02.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 205.3 old Regs.) to allow a sideyard setback of 3 ft. in lieu of the minimum required 11.25 ft. for an open projection (carport), 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. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING  
Date 9/30/99  
By J.P. Gansler



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

September 30, 1999

Mr. & Mrs. Joel Weber  
7906 Winterset Avenue  
Baltimore, Maryland 21208-3109

Re: Petition for Administrative Variance  
Case No. 00-083-A  
Property: 7906 Winterset Avenue

Dear Mr. & Mrs. Weber:

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,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7906 WINTERSET AVE.  
which is presently zoned DR-2

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) 1 B02.3 (206.3 old Regs), 301.1

TO ALLOW A SIDE YARD SET BACK OF 3 FT. FOR AN OPEN projection (CARPORT) IN lieu of the minimum required 11.25 FT

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 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:

Name - Type or Print  
Signature  
Address Telephone No.  
City State Zip Code

### Legal Owner(s):

JOEL LINN WEBER  
Name (Type or Print)  
Joel Linn Weber  
Signature  
JANE REED WEBER  
Name - Type or Print  
Jane Reed Weber  
Signature  
7906 WINTERSET AV 410-486-2178  
Address Telephone No.  
BALTO MD 21208-3109  
City State Zip Code

### Attorney For Petitioner:

Name - Type or Print  
Signature  
Company  
Address Telephone No.  
City State Zip Code

### Representative to be Contacted:

JOEL & JANE WEBER  
Name  
Same (H) 410-486-2178  
Address Telephone No.  
(W) 410-484-0569  
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 9/30/99 day of September that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-83-A

Reviewed By JE Date 8/25/99

REV 9/15/98

Estimated Posting Date 9/5/99

ORDER RECEIVED FOR FILING

Date 9/30/99

# 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 7906 WINTERSET AVE  
Address  
BALT - MD 21208  
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):

Ground Slopes in rear yard.  
Paving Already exists on side of proposed CARPORT.

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.

Joel Linn Weber  
Signature  
JOEL LINN WEBER  
Name - Type or Print

Jane Reed Weber  
Signature  
JANE REED WEBER  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF <sup>Carroll</sup> ~~BALTIMORE~~, to wit:

I HEREBY CERTIFY, this 15<sup>th</sup> day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joel Linn Weber; Jane Reed Weber  
the Affiant(s) hereof, 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.

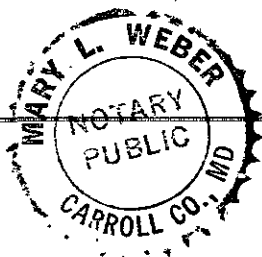
AS WITNESS my hand and Notarial Seal

August 15 1999  
Date

Mary L. Weber  
Notary Public

My Commission Expires April 1, 2003

REU 09/15/98



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That the Affiant(s) does/do presently reside at 7906 WINTERSET AVE.  
Address  
BALT. MD 21208  
City State Zip Code

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PAVING already exists ON SIDE OF proposed CAR PORT

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Joel Linn Weber  
Signature  
JOEL LINN WEBER  
Name - Type or Print

Jane Reed Weber  
Signature  
JANE REED WEBER  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF <sup>Carroll</sup> BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joel Linn Weber & Jane Reed Weber  
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.

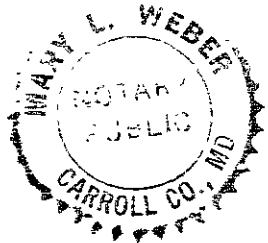
AS WITNESS my hand and Notarial Seal

August 15, 1999  
Date

Mary L. Weber  
Notary Public

My Commission Expires April 1, 2003

RE 09/15/98





# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7906 WINTERSET AVE  
which is presently zoned DR-2

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) 1802.3 (205.3 old Regs), 301.1

TO ALLOW A SIDE YARD setback of 3 ft. for an OPEN projection (GARAGE) in lieu of the minimum required 11.25 ft.

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 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:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Legal Owner(s):

JOEL LINN WEBER  
Name - Type or Print \_\_\_\_\_  
Joel Linn Weber  
Signature \_\_\_\_\_  
JANE REED WEBER  
Name - Type or Print \_\_\_\_\_  
Jane Reed Weber  
Signature \_\_\_\_\_  
7906 WINTERSET AVE 410-486-2178  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
BALTO MD 21208-3109  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

JOEL & JANE WEBER  
Name \_\_\_\_\_  
Same (H) 410-486-2178  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
(W) 410-484-0569  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

\_\_\_\_\_  
Zoning Commissioner of Baltimore County

CASE NO. 00-83-A

Reviewed By JL Date 8/25/99

REV 9/15/98

Estimated Posting Date 9/5/99

83

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 7906 WINTERSET AV  
(address)

Beginning at a point on the WEST side of  
(north,south,east,west)

WINTERSET AV which is 50 FEET  
(name of street on which property fronts) (number of feet of right of way width)

wide at the distance of 450 FEET ~~SOUTH~~ NORTH of the rd  
(number of feet) (north,south,east,west)

centerline of the nearest improved intersecting street TEKKAPIN RD  
(name of street)

which is 50 FEET wide..Being Lot# 13  
(number of feet of right-of-way width)

Block B, Section# 4 in the subdivision of DUMBARTON HEIGHTS  
(name of subdivision)

as recorded in Baltimore County Plat Book# 26, Folio# 44

containing APPRX. 23,200 <sup>sq</sup> FT. Also known as 7906 WINTERSET AV  
(square feet or acres) (property address)

and located in the 3RD Election District, 2ND Councilmanic District.

00-083-A



**BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT**

JL # 83 No. 065391

DATE 8/25/99

ACCOUNT Real Estate

AMOUNT \$ 50.00

RECEIVED FROM: WEBER

FOR: RV FILING

DISTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

**00-083-A**

CASHIER'S VALIDATION

PREPARED BY	DATE	ACTION	TIME
REC'D 06505	8/26/1999	CASHIER NOTE REC DRAWER	
DEPT 5	520	ZONING VERIFICATION	
RECEIPT #	119271		
CR NO.	065391		
50.00	Receipt Tot	50.00	
00	CR	00	
Baltimore County, Maryland			

**00-083-A**

CERTIFICATE OF POSTING

RE: CASE #00-083-A  
PETITIONER/DEVELOPER:  
[Joel Weber]  
DATE OF Closing  
[Sept. 20, 1999]

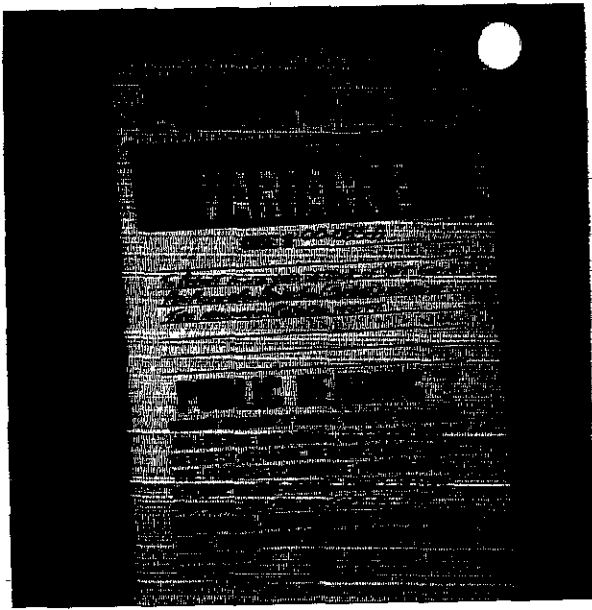
Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Ave.  
Towson, Maryland 21204

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  
7906 Winterset Ave. Baltimore, Maryland 21208\_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ 9-3-99 \_\_\_\_\_  
[Month, Day, Year]



Sincerely,

*Thomas P. Ogle, Sr.*  
[Signature of Sign Poster & Date]

\_\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_\_

\_\_\_\_\_ 325 Nicholson Road \_\_\_\_\_

\_\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_\_

\_\_\_\_\_ [410] 687-8405 \_\_\_\_\_  
[Telephone Number]

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 00- 83 -A Address 7906 WINTERSET AVE

Contact Person: JOHN LEWIS Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 8/25/99 Posting Date: 9/5/99 Closing Date: 9/20/99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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 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.
- 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.
- 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- 83 -A Address 7906 WINTERSET AVE.

Petitioner's Name JOEL AND JANE WEBER Telephone 410 486 2178

Posting Date: 9/5/99 Closing Date: 9/20/99.

Wording for Sign: To Permit A SIDE YARD SETBACK OF 3FT. FOR A PROPOSED OPEN PROJECTION (CARPORT) IN LIEU OF THE MINIMUM REQUIRED 11.25 FT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 83  
Petitioner: JOEL + JANE WEBER  
Address or Location: 7906 WINTERSET AVE BALT MD 21208

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: JOEL + JANE WEBER  
Address: 7906 WINTERSET AVE  
BALT. MD 21208  
Telephone Number: 410-484-2178 DAY  
410-484-0569 WORK

# Plat to accompany Petition for Zoning Variance Special Hearing

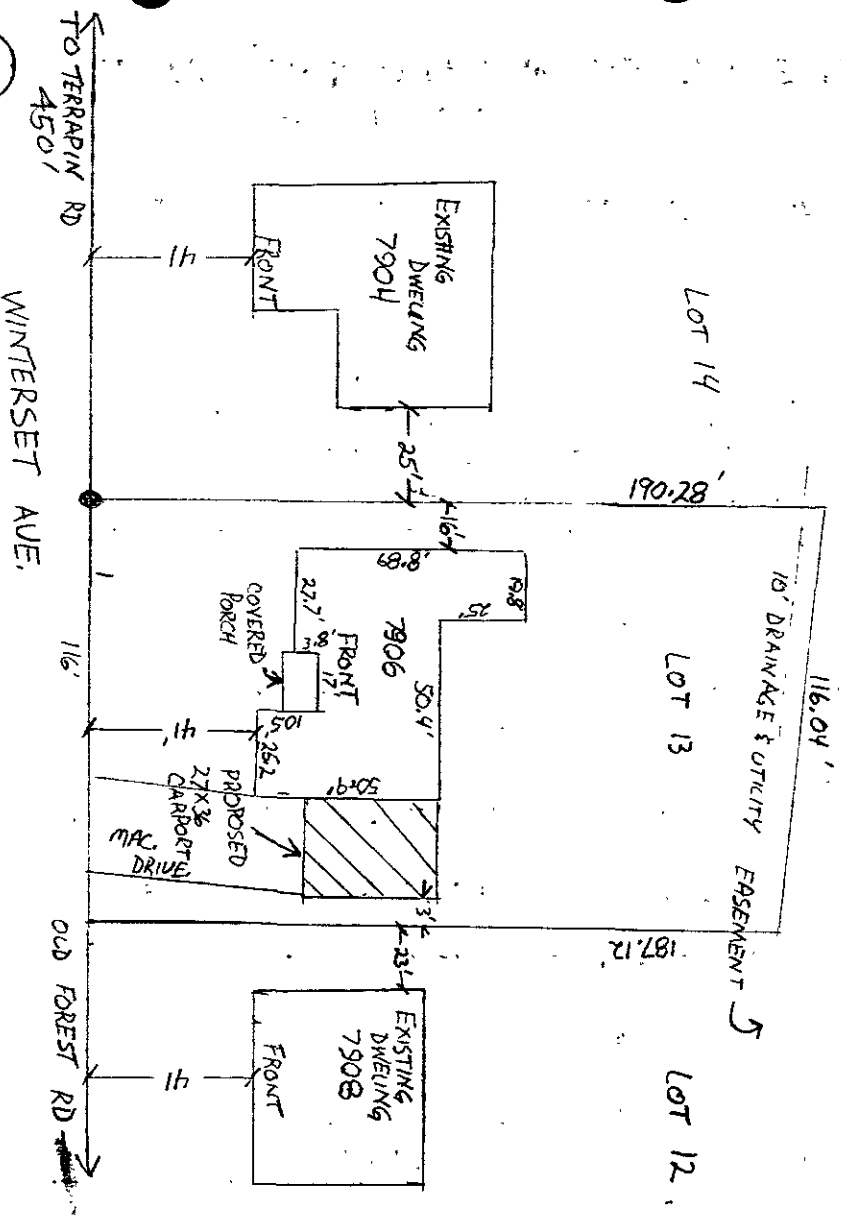
PROPERTY ADDRESS: 7906 WINTERSET AVE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: DUMBARTON HEIGHTS

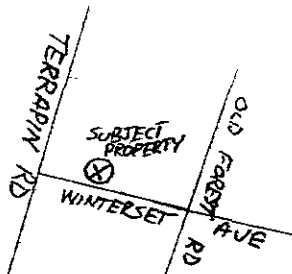
plat book # 26, folio # 44, lot # 4, section # 13

OWNER: JOEL & JANE WEBER



North  
date: 8/25/99  
prepared by: [Signature]

Scale of Drawing: 1" = 50'



Vicinity Map  
Scale: 1" = 1000'

### LOCATION INFORMATION

Election District: 03  
 Councilmanic District: 02  
 1" = 200' scale map#: NW 8E  
 Zoning: DR-2  
 Lot size: 0.53 acreage    ~23,200 square feet

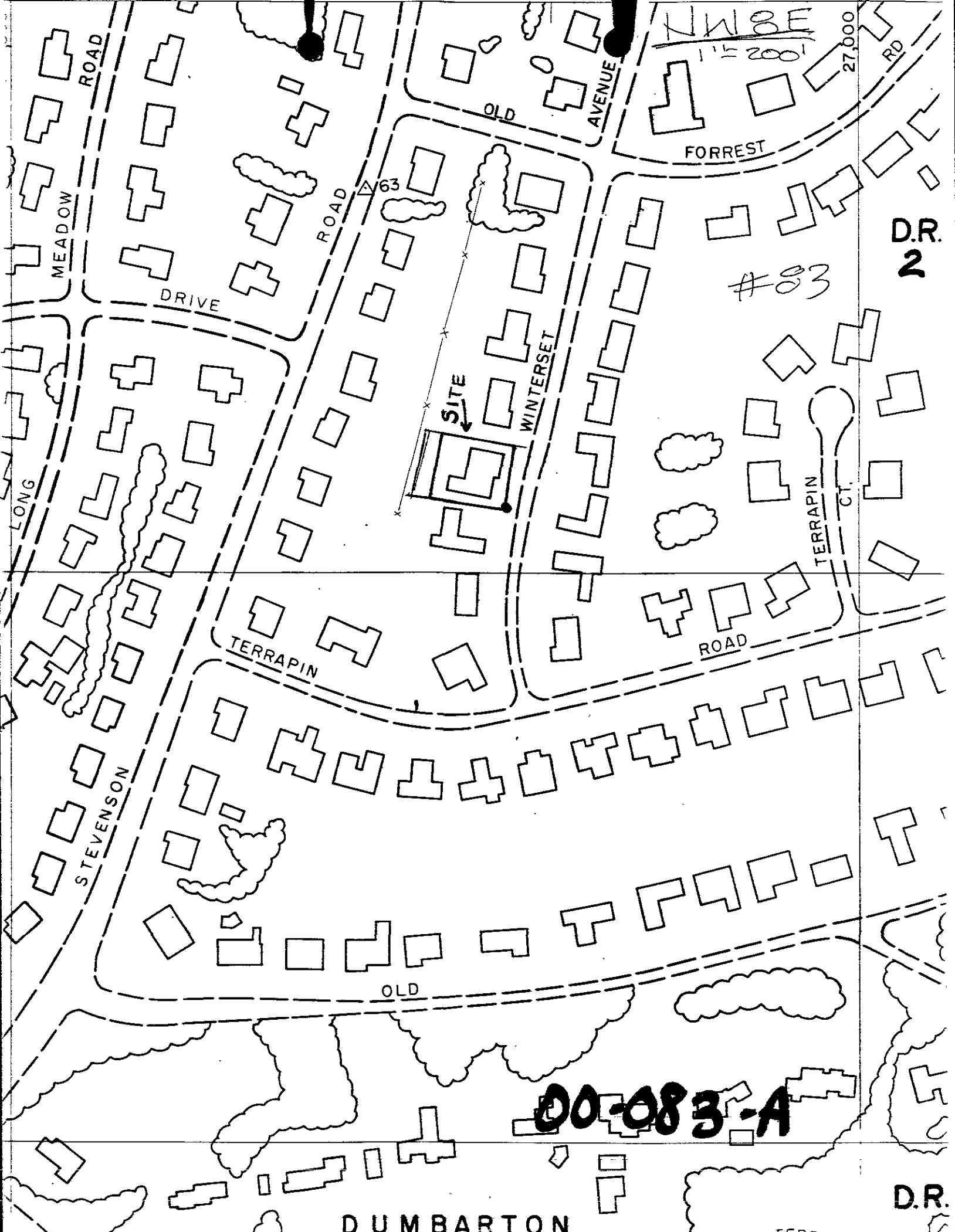
SEWER:  public  private  
 WATER:  public  private

Chesapeake Bay Critical Area:  Y/N  No  
 Prior Zoning Hearings: NONE  
 NOT IN FLOODPLAIN  
 Zoning Office USE ONLY!  
 reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

JL 83

PET. EX. #1

00-083-A



NW 8 E  
1/4 200'

27,000  
RD

D.R.  
2

#83

SITE  
↓

WINTERSET

TERRAPIN  
CT.

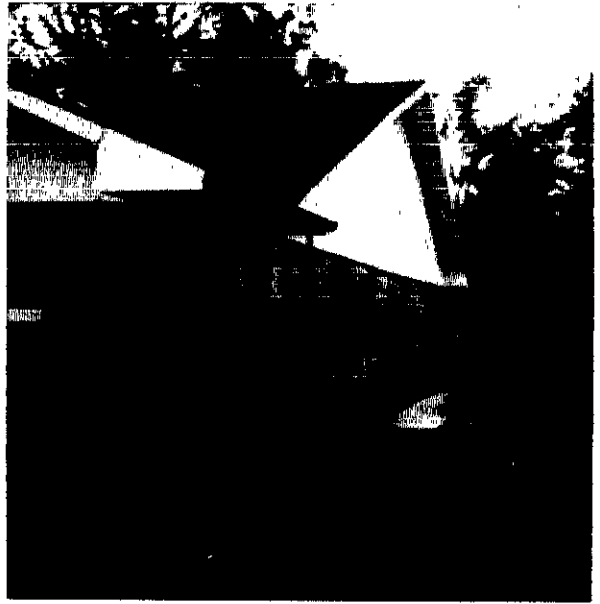
**00-083-A**

D.R.

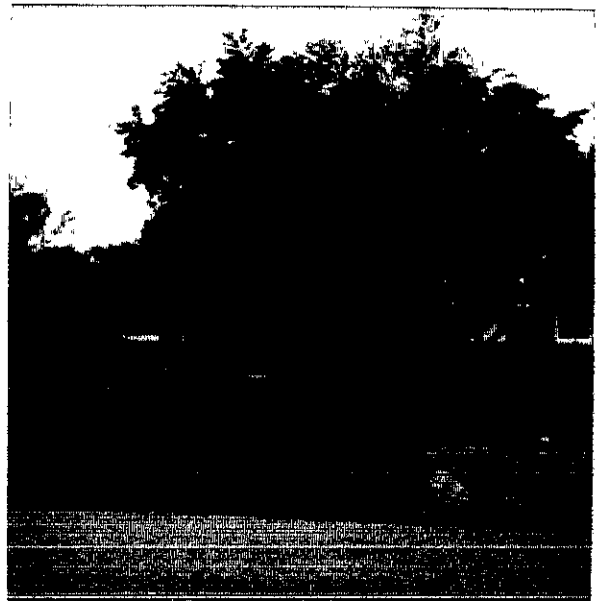
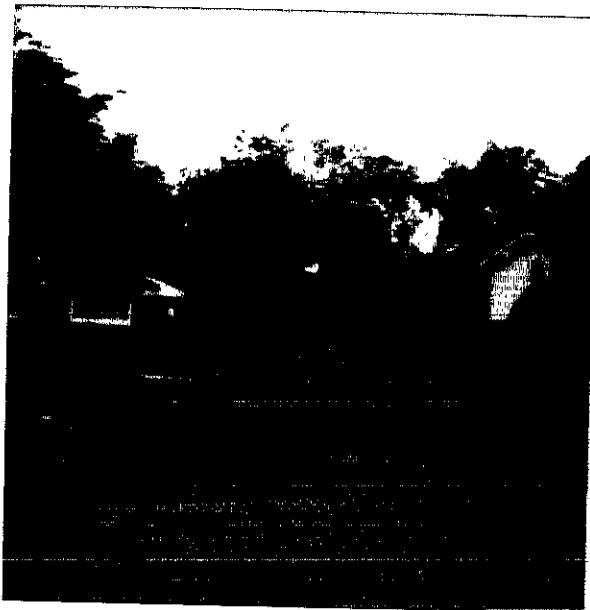
DUMBARTON



7906

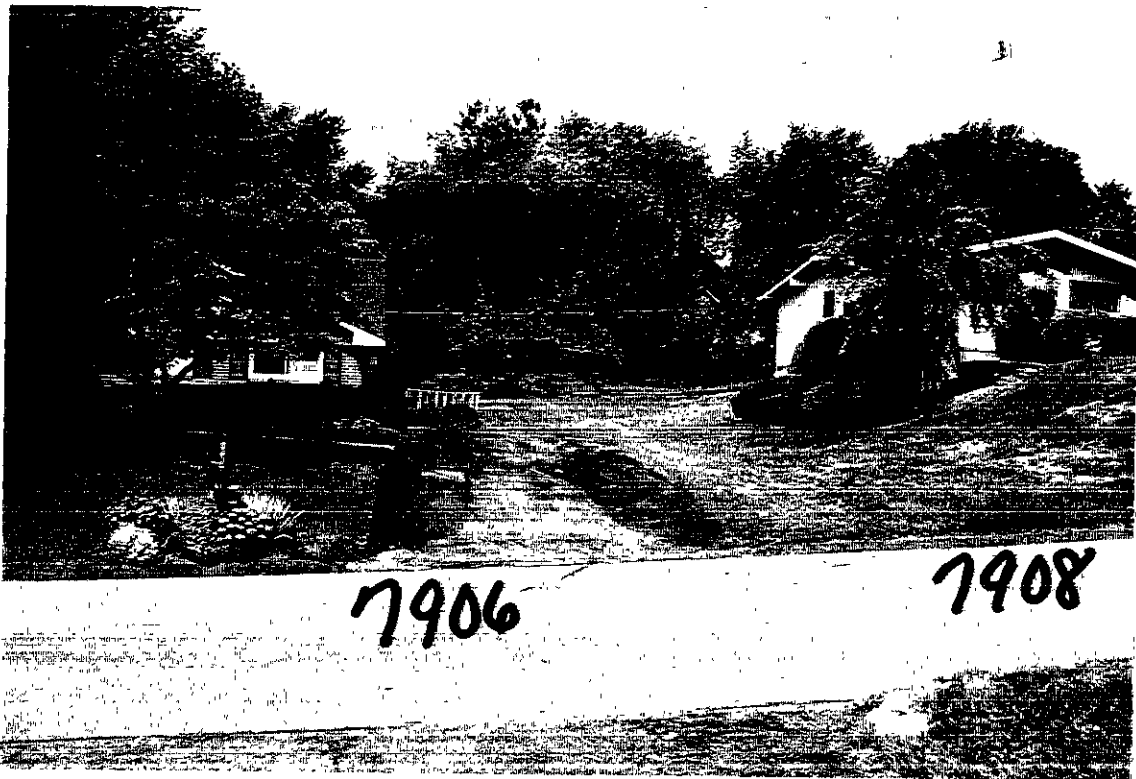
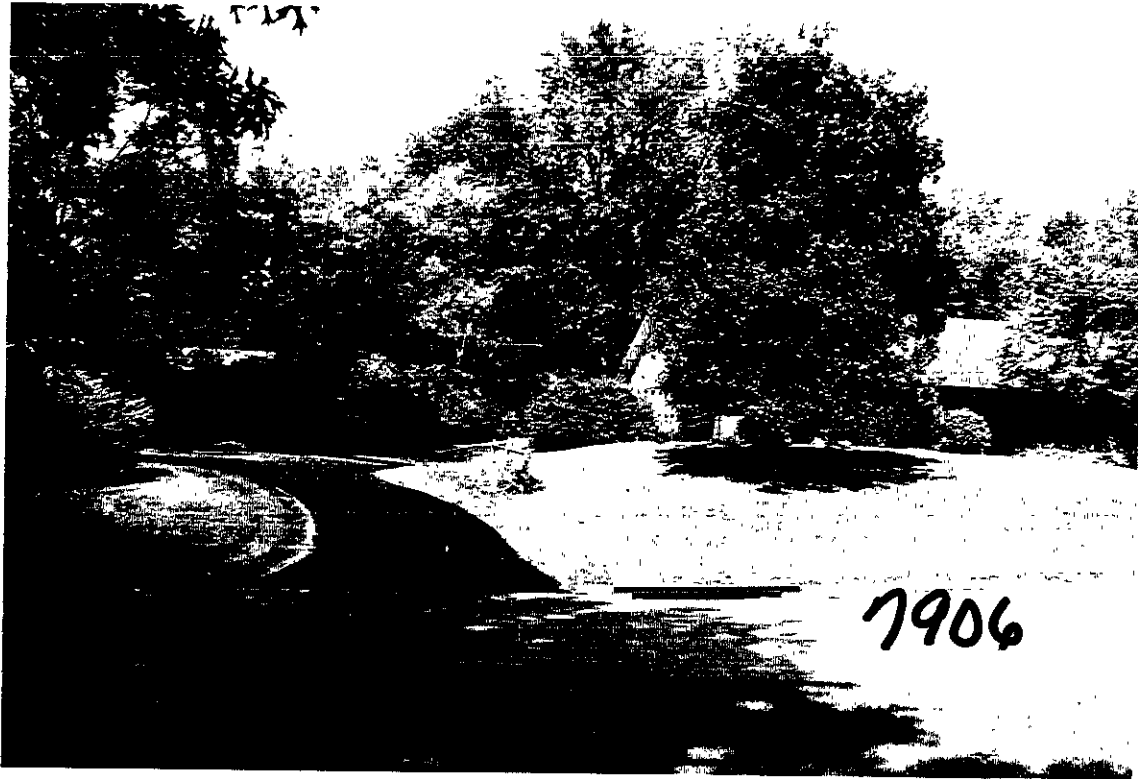


7906



7906

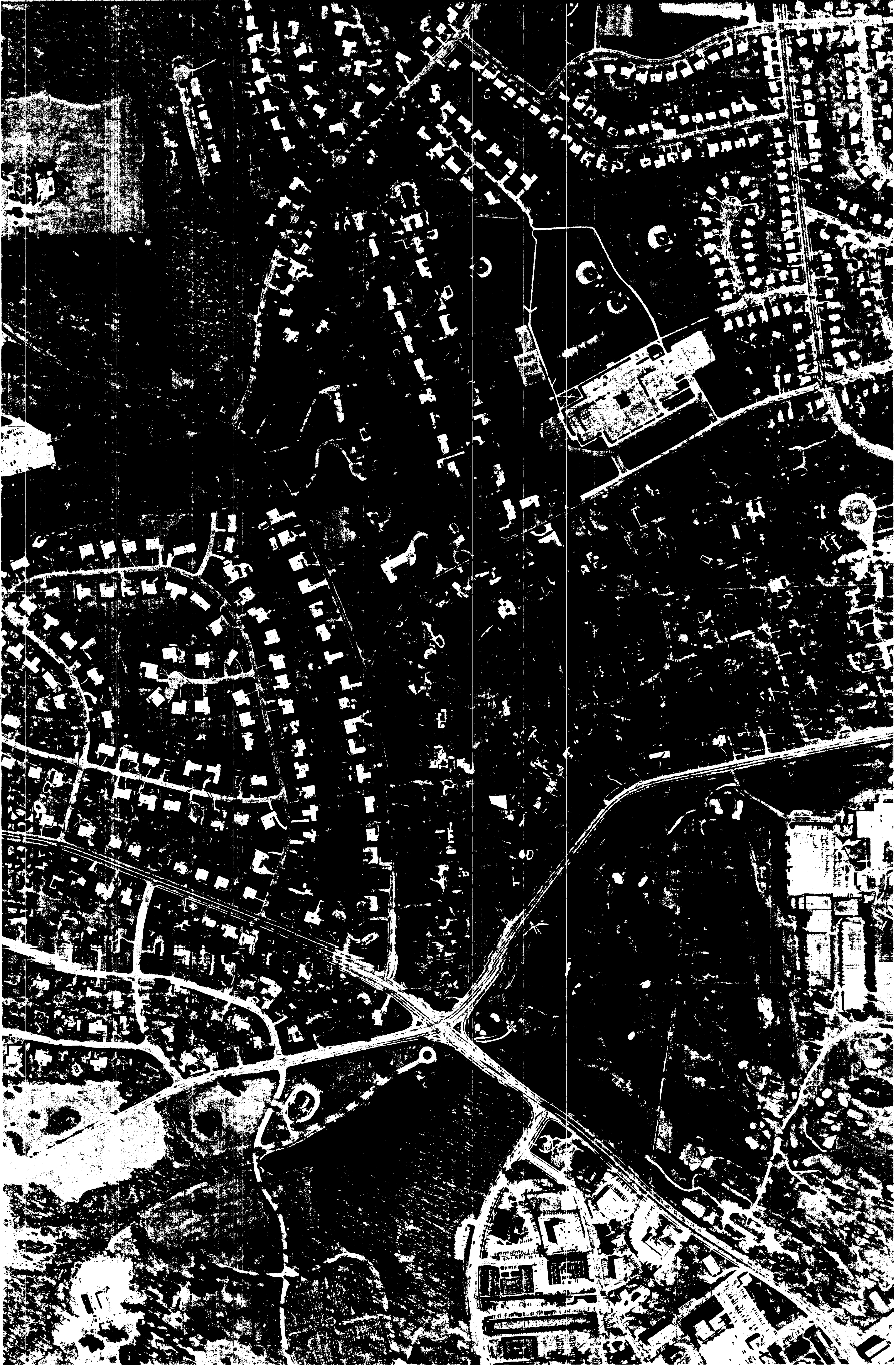
00-083-A



00-083-A



83



SCALE		LOCATION	SHEET
1" = 200' ±			
DATE OF PHOTOGRAPHY		DUMBARTON	
JANUARY 1986		NW. 8-E	

BALTIMORE COUNTY  
 OFFICE OF PLANNING AND ZONING  
 PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
 MARTINSBURG, W. V. 25401