IN RE: PETITION FOR ADMIN. VARIANCE E/S of Arellen Court, 300' S

of centerline of Talles Road 2<sup>nd</sup> Election District 2<sup>nd</sup> Councilmanic District

(3403 Arellen Court)

Martha Leeds & Jacques E. Leeds, Sr. Petitioners

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 00-134-A

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

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Martha Leeds and Jacques E. Leeds, Sr. The variance request is for property located at 3403 Arellen Court in the Lochearn area of Baltimore County. The Petitioners herein seek a variance from the 1953-1955 Zoning Regulations and Restrictions for Baltimore County, Section III-"A" Residence Zone #13, to permit a detached accessory building (carport) to be located 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 Administrative 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

56/51/

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 day of November, 1999 that a variance from the 1953-1955 Zoning Regulations and Restrictions for Baltimore County, Section III-"A" Residence Zone #13, to permit a detached accessory building (carport) to be located in the front yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restrictions which are 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



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

Fax: 410-887-3468

November 15, 1999

Mr. & Mrs. Jacques E. Leeds, Sr. 3403 Arellen Court Baltimore, Maryland 21207

Re: Petition for Administrative Variance

Case No. 00-134-A

Property: 3403 Arellen Court

Dear Mr. & Mrs. Leeds:

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,
Mustby llofrow

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



REU 9/15/98

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

Estimated Posting Date 10/10/99

WALVE.			
for the	property located at		
	which	is presently zoned	DR.5.5
This Petition shall be filed with the Department owner(s) of the property situate in Baltimore Countries a part hereof, hereby petition for a Variance	ty and which is described from Section(s)	in the description and	plat attached hereto and
RESTRICTIONS FOR BALTI SECTION III -"A" RESIDEN TO PERMIT A DETACHED	MORE COUNT	13	y D. Statler
BUILDING (CARPORT) TO THE FROHT YARD IN LI	BE LOCATED! EU OF THE	My Commission	Anne Arundel County, MD Expires November 19, 2002
REQUIRED REAR YAR			
of the zoning regulations of Baltimore County, to trof this petition form.	e zoning law of Baltimore	County, for the reason	ons indicated on the back
Property is to be posted and advertised as prescrit I, or we, agree to pay expenses of above Variance, adv regulations and restrictions of Baltimore County adopted	ertising, posting, etc. and fu	urther agree to and are to	be bounded by the zoning
	perjury, tha		n, under the penalties of er(s) of the property which
Contract Purchaser/Lessee:	<u>Legal Ov</u>	vпer(s):	
Name - Type or Print	JACOU Name Type	ES LEEDS, SR. e or Print  Mar 9. Leede	la.
Signature	Signature /	LEEDS	
Address Telepho	one No. Name - Type	or Print	
City State Zi	p Code Signature	ortha Leed	<u>0,                                      </u>
Attakwey For Petitioner:	3403 A Address	RELLEN COURT 4	10-298-8499 Telephone No.
PATIO ENCLOSURES, INC. Name - Type or Print	BALTIM City	ORE, MD 21207	State Zip Code
Signature R. L. TICE, AGENT	-	ntative to be Conta	•
PAPTO ENCLOSURE'S INC.	R.I Name	TICE, AGENT, PAT	IO ENCLOSURES, INC.
224 8th AVENUE, N. W. 410-760-19		h AVENUE.	410-760-1919 Telephone No.
City State Zi	p Code City	URNIE, MD 21061	State Zip Code
A Ryblic Hearing having been formally demanded and/or this day of that the subject that the subject positions of Baltimore County and that the property be reposited.	ct matter of this petition be set		missioner of Baltimore County, ised, as required by the zoning
Ø1,	,		•
	Zo	ning Commissioner of Baltin	more County
CASE NO. 00-134-A	Reviewed By	TM Date	9/28/99

# 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.

competent to testify thereto in the event that a p	ublic hearing is so	heduled	in the future with rega	ard thereto.
That the Affiant(s) does/do presently reside at	3403 AREL	LEN CO	URT	
	Address			
	BALTIMORE City	, MO	21207	
	- •		State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts ip or practical diffic	upon wi culty);	hich I/we base the re	quest for an Administrative
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2. THE RESTRICTIVE AREA OF THE LOT SIZE WITHOUT REQUIRING A VARIANCE		ITSELI	F TO ANY ADDITIO	N OF PRACTICAL
3. SIMILAR CARPORT LOCATIONS ARE ON	OTHER ADJACE	NT PRO	PERTIES.	
•			,	
				4
That the Affiant(s) acknowledge(s) that if a fo	ormal demand is (	filed Affi	iant/e) will be require	ad to nav a reposting and
advertising fee and may be required to provide a	additional informat	ion.	anti(a) will be reciant	to pay a reposting and
water to be de la	70	· 1	Jartha Le	20 8 11
Signature /	<b>X</b>	Signature	journe pe	
JACQUES LEESD 5			HA LEEDS	
Name - Type or Print		Name - Ty <sub>l</sub>	be of Phili	
STATE OF MARYLAND, COUNTY OF BALTIN	OPE to wit:			
	, in	5	1000	
I HEREBY CERTIFY, this 3000 day of 0000 day aforesaid, pe	rsonally appeared		<u>// 7 /</u> , before me, a	Notary Public of the State
سره سند کی در			etHA Le	eds
the Affiant(s) herein, personally known or satisf	factorily identified			
law that the matters and facts hereinabove set for				
AS WITNESS my hand and Notarial Seal	-		1 /	
August 30, 1999	_		A	ith F. Jones
Date	Notary P	ublic	, ,	CARY PUBLIC

My Commission Expires

# 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.

competent to testify thereto in the event that a pul	olic hearing is scheduled in the	he future with regard ther	nat Amant(s) is/are eto.
That the Affiant(s) coes/do presently reside at	3403 ARELLEN COURT	<u>"</u>	
•	Address		
7	BALTIMORE, MD 21 City	207 State	Zip Code
	•		-
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ing are the facts upon which or practical difficulty):	I I/we base the request for	or an Administrative
THIS AREA LENDS ITSELF TO THE UTIL WETGOUT INTERRUPTION OR MAJOR ALT			ens.
2. THE RESTRICTIVE AREA OF THE LOT DO SIZE WITHOUT REQUIRING A VARIANCE		O ANY ADDITION OF	PRACTICAL
- SIMILAR CARPORT LOCATIONS ARE ON	OTHER ADJACENT PROPER	TIES.	
•			
That the Affiant(s) acknowledge(s) that if a formative trising fee and may be required to provide ad	nal demand is filed, Affiant( ditional information.	(s) will be required to pa	ay a reposting and
X Megher Ledy, S.	X Mul	The Acids	
Name - Type or Print	MARTHA Name - Type or		
	Name - Type of		
STATE OF MARYLAND, COUNTY OF BALTIMO	/	00	
HEREBY CERTIFY, this 3074 day of Aug of Maryland, in and for the County aforesaid, pers	onally appeared	97, before me, a Notary	Public of the State
TACAVES Leas Secure Affiant(s) therein, personally known or satisfact with the matters and facts hereinabove set for	ctorily identified to me as su	ch Affiant(s), and made	oath in due form of ledge and belief.
AS WITNESS my hand and Notarial Seal			
August 30 1999	1/6	100	F Jones
Date	Notary Public	NOTA	RY PUBLIC
	My Commission Expi	ires May 12	00/



REV 9/15/98

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

Estimated Posting Date 10/10/99

MACYUME	
for the propert	y located at 3403 ARELLEN COURT
	which is presently zoned DR.5.5
This Petition shall be filed with the Department of Perm owner(s) of the property situate in Baltimore County and white made a part hereof, hereby petition for a Variance from Section 1.	its and Development Management. The undersigned, legal ch is described in the description and plat attached hereto and ion(s)
1953-1955 ZOHING REGULATION	-15 AHD KILLING STOCKE
RESTRICTURES FOR RALTIMORE	COUNTY
SECTION TIL-"A" RESIDENCE ZON TO PERMIT A DETACHED ACCESS BUILDING (CARPORT) TO BE LOCAT IN THE FRONT YARD IN LIEU OF T	Notary Public, Anne Arundel County, MD
REQUIRED REAR YARD	· <del>-</del>
of the zoning regulations of Baltimore County, to the zoning I of this petition form.	aw of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, poregulations and restrictions of Baltimore County adopted pursuant	sting, etc. and further agree to and are to be bounded by the zoning
	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:	<u>Legal Owner(s):</u>
	E.
Name - Type or Print	Name Type or Print
Signature	Signeture C. Leele, Sr.
	MARTHA LEEDS
Address Telephone No.	Name - Type or Print
City State Zip Code	X Warthe Leeds Signature
Accorded For Petitioner:	3403 ARELLEN COURT 410-298-8499
	Address Telephone No.
PATIO ENCLOSURES, INC.  Name - Type or Print	BAI.TIMORE, MD 21207 City State Zip Code
Name Type of Film	
Signature R. L. TICE, AGENT	Representative to be Contacted:
PATIO ENCLOSURE'S INC.	R. L. TICE, AGENT, PATIO ENCLOSURES, INC.
224 8th AVENUE, N. W. 410-760-1919 Address Telephone No.	<u>224 8th AVENUE</u> , <u>410-760-1919</u> Address Telephone No.
GLEN BURNIE, MD 21061	CLEN BURNIE, MD 21061
City State Zip Code	City State Zip Code
	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Baltimore County
	1711

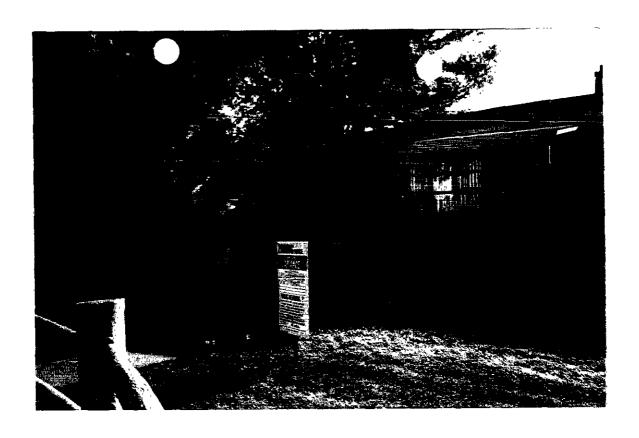
#### ZONING DESCRIPTION

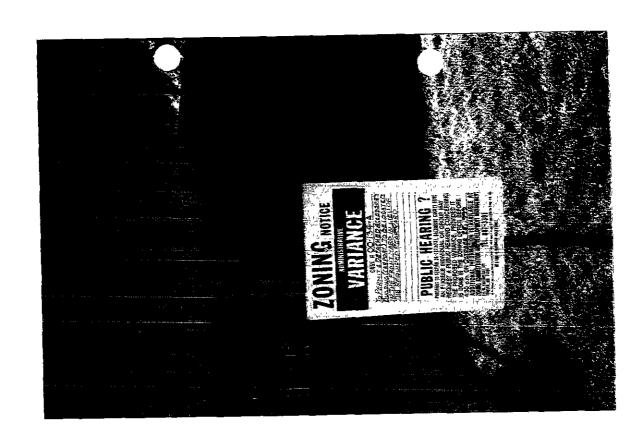
Zoning Description for 3403 Arellen Court, Baltimore, Md., 21207

Beginning at a point on the East side of Arellen Court, which is 50' wide at the distance of 300+- ft., South of the centerline of the nearest improved intersecting street, Talles Road, which is 50' wide.

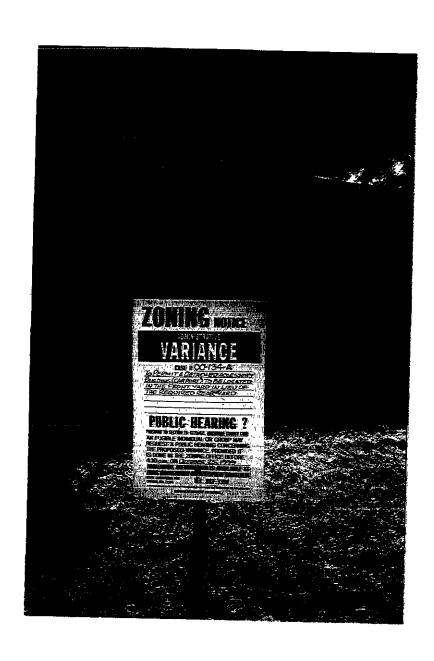
\*Being Lot #15, Block E, Section B, in the subdivision of Robin Hills, as recorded in Baltimore County Plat Book #0023, Folio 0020, containing 8154 square feet. Also known as 3403 Arellen Court and located in the 2nd Election District, 2nd Councilmanic District.

PRINCE OF THE PR	CODE 5 528 ZINING UPUFICATION	CR NO. 07216.1  CR NO. 07216.1  Recpt. Tot. 50.00		X	00	CASHIER'S VALIDATION  CASHIER'S VALIDATION	
No. 072161	010101	00.05		nee		DISTRIBUTION WHITE - CASHIER WHITE - CASHIER	
BALTIMORE COUNTY, MARYLAP OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	ACCOUNT ACCOUNT	AMOUNT \$	301 Jun (3.)	10. VARIA,1CE		PINK - AGENCY YELLOW	A CANADA





RE: Case No.: <u>CO-134-A</u>
Petitioner/Developer:
JACQUES E. LEEDS JR.
Date of Hearing/Closing: Oct. 25, 1999
•
ed at
- 1999
Ionth, Day, Year)
Sincerely,  (Signature of Sign Poster and Date)  (Signature of Sign Poster and Date)  (Printed Name)  3225 RYERSONI (INCLE  (Address)  (City, State, Zip Code)  (410) 247-4263  (Telephone Number)



#00-134-A

## BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 00- 134

				r, Please Pi	rint Your Name					lumber	410-887-	3391
Filing	Date:	<u> </u>	28/99		Posting	Date:	10/10/9	<u> </u>	Clo	sing Da	te: 10/2	<u>5/9</u> 9
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# 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:
Petitioner: JACQUES & MARTHA LEEDS
Address or Location: 3403 ARELLEN COURT, BALTIMORE, MD 21207
PLEASE FORWARD ADVERTISING BILL TO:
Name: PATTO ENCLOSURES, INC.
Address: 224 8th AVENUE, N.W.
GLEN BURNIE, MD 21061
Telephone Number:

Revised 2/20/98 - SCJ



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

November 29, 1999

RECEIVED JAN 0 6 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCTOBER 25, 1999

Item No.: See Below

Dear Ms. Stephens:

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:

130, 131, 133, (134) 135, 137, 140, 142, 143, 144, 148, 149, 150, 151, 152,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

**Date:** October 28, 1999

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits

and Development Management

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

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 134 and 140

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL

00-134-A

3403 Arellen Court Woodlawn, Maryland 21207 August 18, 1999

Dear Neighbor(s):

This letter is required by Baltimore County to allow a property "Variance."

As you have noticed, the only carport in our block does not extend to the street curb. This is because on the side of the street with even-number addresses, there is a pavement between the lots and the street curb. On the opposite side of the street (houses with odd-number addresses) we do not have a sidewalk. Our lots, in fact, end at the curb line.

We plan to build an open carport to the curb line so that we can better "duck" the elements as we go from our cars to the house itself.

This carport will not obstruct your vision, nor detract, in any way, from the attractiveness of our block; but will, we hope, enhance the appearance of the neighborhood.

The signatures of three (3) neighbors are needed to allow a "Variance."

If you agree with my position regarding the construction of such a carport, please sign your name and address at the bottom of this letter.

Very truly yours, que un Martha Leeds Jakques and Martha Leeds

3402 Arollon to-ADDRESS 3405 Arollow et

ADDRESS

36

00-134-A

DEED

FROM

Martha H. Wase (Leeds)
·
то
Martha H. Leeds
Jacques E. Leeds, her husband
BLOCK No.
Received for Record,, 19,
ato'clockM. Same day recorded
in Liber No Folio &c.,
one of the Land Records of
, and examined per
, Clerk.
Cost of Record, \$
MAIL TO:
Martha and Jacques Leeds 3403 Arellen Court Baltimore, Maryland 21207

THE DAILY RECORD CO., BALTIMORE, MD. 21202

# 134

00-134-A

This Deed, MADE THIS

day of November

in the year one thousand nine hundred and eighty-nine

by and between

√Martha H. Ware

of Martha Leeds and Jacques E. Leeds, her husband

of the first part, and

of the second part.

WITNESSETH, That in consideration of the sum of, No consideration, but for love and affection,

the said party of the first part

DEED 0 # SM CLERK 13.00 #42280 C001 R02 T08:07 11/13/89

 $d_0$  es grant and convey to the said parties of the second part, their survivors, and their

personal representatives/successors and assigns

The improvments thereon being known as 3403 Arellen Court.

, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland

and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 15, Block E, as shown on a plat entitled Plat of section B, Robin Hills, which Plat is recorded among the land records of Baltimore County in Plat Book GLB No. 23 folio 20.

BEING ALSO, the same lot of ground described in a Deed dated November 12, 1979 and recorded among the land records of Baltimore County in Liber No. 6132, Folio 160, EHK, from Frank Bunyan Sherman and Gloria Sherman his Wife, To Martha H. Ware, subject to a Deed of Trust to Colonial Morgage Service Company.

State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX NOT APPLICABLE

TGNATURE 32 D

DATE\_1/9/89

TRANSFER TAX NOT REQUIRED

Director of Plagnos

BALTIMORE COUNTY MARYLAND

Per Succession

Authorized Statution

Sec. 11-85/A

13

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

of ground and premises to the said To Have and To Hold the said described lot Martha Leeds and Jacques E. Leeds, Her husband as tenants by the their survivors, entireties,

personal representatives/successors

and assigns

, in fee simple.

not done or of the first part hereby covenantS And the said party she has suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; will warrant specially the property hereby granted; and that she will execute that she such further assurances of the same as may be requisite.

and seal of said grantor WITNESS the hand

Test: Alek G. Bohanar

I HEREBY CERTIFY, That on this

Northa H. Whire

Martha H. Ware

(SEAL)

STATE OF MARYLAND,

, to wit: 8 th

the day of hovember eighty nine

, before me,

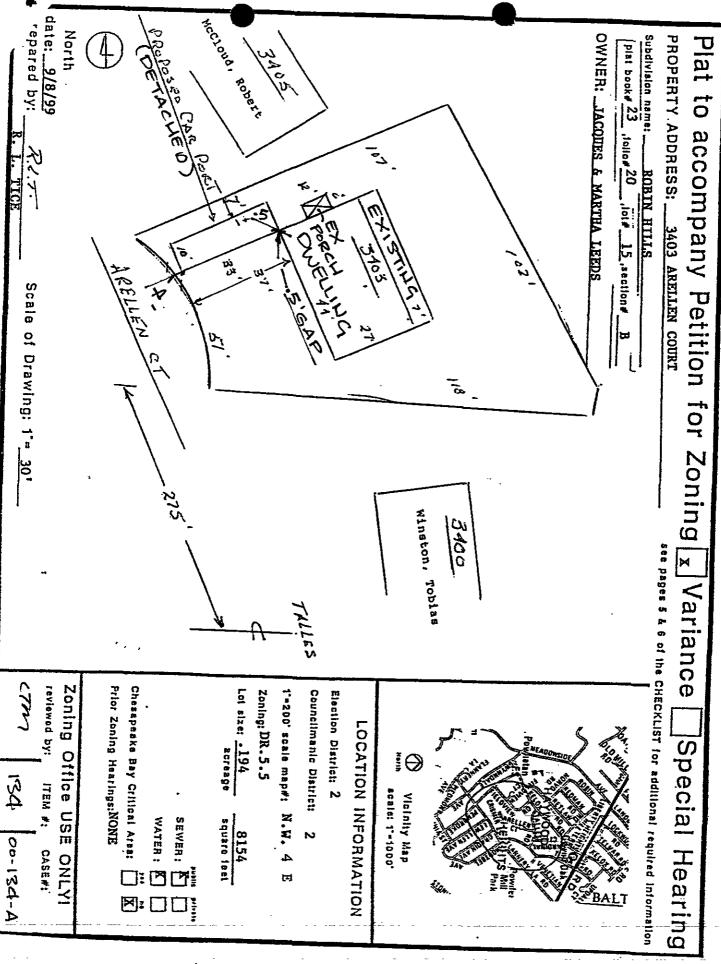
in the year one thousand nine hundred and the subscriber, a Notary Public of the State aforesaid, personally appeared Martha H. Ware

known to me (or satisfactorily proven) to be the person the whose name is/are subscribed to she executed the same for the purposes the within instrument, and acknowledged that therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

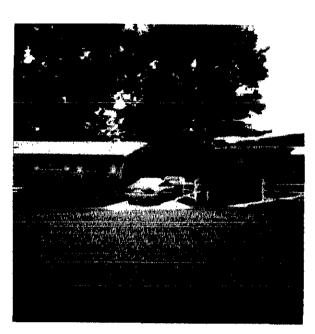
My Commission expires:

My Commission Expires July 1, 1990

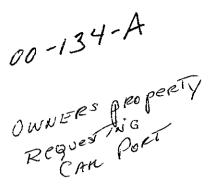


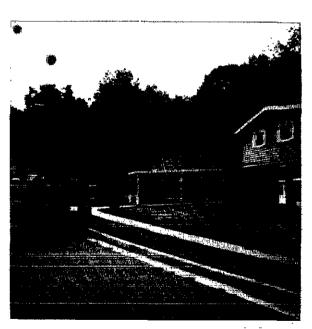
PET. EX. #1





3403 ARELLENCT





NEIGHBORS CAR PORT