DANGER FRACTIVED FOR PILING

IN RE: PETITION FOR ADMIN. VARIANCE N/S Waltham Woods Road, 94' W

centerline of Class Court
9th Election District
6th Councilmanic District

(9070 Waltham Woods Road)

George S. Weidley, Jr. and Cheryl L. Parks-Weidley Petitioners * BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 00-196-A

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by George S. Weidley, Jr. and Cheryl L. Parks-Weidley, property owners, for that property known as 9070 Waltham Woods Road in the Carney area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a sideyard setback of 9 ft. and a rear yard setback of 15 ft. in lieu of the required 10 ft. and 30 ft., respectively. 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 day of December, 1999, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a sideyard setback of 9 ft. and a rear yard setback of 15 ft. in lieu of the required 10 ft. and 30 ft., respectively, 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:rai



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

Fax: 410-887-3468

December 9, 1999

Mr. & Mrs. George S. Weidley, Jr. 9070 Waltham Woods Road Baltimore, Maryland 21234

Re: Petition for Administrative Variance

Case No. 00-196-A

Property: 9070 Waltham Woods Road

Dear Mr. & Mrs. Weidley:

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

Swithy Kotroco

TMK:raj Enclosure

c: Jesse Sleeper
 America's Energy Savers Home
 Improvement, Inc.
 5119 Harford Road
 Baltimore, Maryland 21214



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9070 Waltham woods Rd. which is presently zoned DR5.5

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.C.1

TO PERMIT ALL ADDITION WITH A SIDE YARD SETBACK OF 9 FEET ALLO A REAR YARD SETBACK OF 15 FEET IN LIEU OF THE REQUIRED 10 FEET ALLO 30 FEET, RESPECTIVELY.

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	<u>/Lessee:</u>		Legal Owner(s):
Name - Type or Print			George S. Weidley, Jr.
Signature			Signature
Address		Telephone No.	Name-Type or Print Parks - Weiller
City	State	Zip Code	Signature
Attorney For Petition	ner:		9070 Wattham Woods Rd 40665 48 Address Telephone No.
			Baltimore MD 21234
Name - Type or Print			City State Zip Code
Signature			Representative to be Contacted: Jesse Sleeper
-Company	· •		America's Energy Savers Home Improvement, I
			5119 Harford Rd. 410426 9763 Address Telephone No.
Address		Telephone No.	
	-		Baltimore MD 21214
CON CON	State	Zip Code	City State Zip Code
regulations of Baltimore Coun	. th	at the subject matter of t	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
			·
المعالمة الم			Zoning Commissioner of Baltimore County
CASE NO. OO-	-196-A	Rev	riewed By UTM Date 11/5/99

Estimated Posting Date

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	scheduled i	in the future with re	gard thereto.	
That the Affiant(s) does/do presently reside at	9070 Address	Waltho	an woods	s Rd.	_
	Baltim	ore	md.	21234	_
	City		State	Zip Code	t
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	ip or practical d	lifficulty):			3
we are building	this Add	ution to	our home	because we	
are adoptine chil	den ADD	need the	required :	space. Due	
to the Design o-	four hom	re it u	sould create	- hardship and	
Not be practical	_ 40 build	1 this A	atto noitical	a thom Designed.	
The roof AND	Basement	r Enta	y of our 1	Existing house 00	
Not allow US	to Desi	gn thi	is addition	Ditterently.	
Furthermore th	e odditu	of the	Angled Nor	th East property	
like creates t	the hards	hip And	we request	a variance.	
		"	-	•	
That the Affiant(s) acknowledge(s) that if a fo	rmal demand	is filed, Affi	ant(s) will be requ	ired to pay a reposting an	d
advertising fee and may be required to provide a	additional inforr	nation.			
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Signature Library		Signatura	uf L barks.	- Weilleys	_
Ognature		Olgitatute	O .	V	
Name - Type or Print		Name - Typ	pe or Print		
	•				
					-
STATE OF MARYLAND, COUNTY OF BALTIN					
HEREBY CERTIFY, this 16 th day of 0c of Maryland, in and for the County aforesaid, pe	rsonally appear		999 , before me	, a Notary Public of the State	€
George S. Weidley J. the Affiant(s) herein, personally known or satis	and	Cher	JL. Park	cs-Weidhu	_
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identifi orth are true ar	ed to me as id correct to	stsuch Affiant(s), au the best of his/her/	nd made oath in due form of their knowledge and belief.	if
				J	
AS WITNESS my hand and Notarial Seal		0			
Oct 1 1000		La.	mil		
	Notar	y Public	01). XIONG	<u></u>	
		-			

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 p	within the personal knowledge of the Amant(s) and that Amant(s) is/are public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	9070 Waltham Woods Rd.
	Address City State Zip Code
	City State Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship)	wing are the facts upon which I/we base the request for an Administrative ip or practical difficulty):
the are building this	addition To our home because we
9	AND Heed the required space. Due to the
·	it would create hardship And not be
Pratical to build	this addition other than Designed, the
roof and Barn t	Entry Do not allow us to Design it
Differently. Furt	thermore the due to the oddity of the
	st Property line we are requesting a Variance
3	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
	<u>_</u>
8.0111	Chert & Parks - Weidley Signature
Signature Signature	Signature /
	V
Name - Type or Print	Name - Type or Print
	·
STATE OF MARYLAND, COUNTY OF BALTIN	
I HEREBY CERTIFY, this 16th day of 0c of Maryland, in and for the County aforesaid, pe	tolor , 1999, before me, a Notary Public of the State rsonally appeared
George S. Weidley Jr	factorily identified to me as such Affiant(s), and made oath in due form of
the Affiant(s) herein, personally known or satistical law that the matters and facts hereinabove set for	factorily identified to me as such Affiant(s), and made oath in due form of orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
	\mathcal{L} . \mathcal{L}
Oct. 16, 1999	Daim. Sanc
Date '	Notary Public O
	My Commission Expires 9-30-02



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	9070	Waltham	Woods	Rd.
which	is pres	sently zoned_	DR	5.5

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

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 Bo Z · 3 · C · i

TO PERMIT AH ADDITION WITH A SIDEYARD SETBACK OF OFFET AHO A REAR YARD SETBACK OF 15 FEET IN LIEU OF THE REQUIRED INFET AND 30 FEET, RESPECTIVELY

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.

			perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchase	r/Lessee:		Legal Owner(s):
Name - Type or Print			Gorge S. Weidley, Jry
			Name - Type and Print
Signature			Chery L. Parks-Weidley
Address		Telephone No.	Name - Type or Print Keen L. Farks - Weiller
City	State	Zip Code	Signature
Attorney For Petitic	oner:		9070 Waltham Woods Rd 410 665 488 Address Telephone No.
Name - Type or Print			Bathmon MD 21234 City State Zip Code
Signature			Representative to be Contacted: Jesse Sleeper
Company			America's Energy Savers Home Improvement, Dr. Name
Address		Telephone No.	5119 Harford Rd. 410 426 9763 Address Telephone No.
		. Olopholio Ito.	Bautimore MD 21214
City	State	Zip Code	City State Zip Code
A Public Hearing having this day of	. th	nat the subject matter of th	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

Reviewed By

Estimated Posting Date

UTM

00-196-A

Zoning Description

Zoning Description For:

9070 Waltham Woods Road

Beginning at a point on the North side of

Waltham Woods Road which is 70 feet

wide at the distance of 94 feet west of the

centerline of the nearest improved intersecting street Class Street Court

which is 30 Feet wide. *Being Lot # 44,

Block — , Section #2 in the subdivision of Satyr Woods

as recorded in Baltimore County Plat Book # 46, Folio# 98,

containing 6489 square feet. Also know as 9070 Waltham Woods Road

and located in the 9th Election District, 6th Councilmanic District.

<u>DISTRIBUTION</u> WHITE - CASHIER	[FOR:	RECEIVED FROM:		DATE	BALTIN OFFICE O
HER PINK - AGENCY YELLOW - CUSTOMER			さっていっし	AMOUNT \$ SALES CO	DATE 11/5/30 ACCOUNT ROCK OF ONE	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE No. 074313 MISCELLANEOUS RECEIPT
CASHER'S VALIDATION			BOLD IN THE PROPERTY OF THE		DEAL STATE OF THE	

الإستان الأناف المتافية المتافية المتافية والمتافية والم

CERTIFICATE OF POSTING

RE: CASE # 00-196-A
PETITIONER/DEVELOPER
(George Weidley Jr.)
DATE OF Closing
(Nov. 29, 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 9070 Waltham Woods Road Baltimore, Maryland 21234__

The sign(s) were posted on _____ 11-12-99 _____ (Month, Day, Year)



Sincerely,
Quant Del film
(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

Posting Date: 11/14/99

Any contact made with this office regarding the status of the administrative variance should be

<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

through the contact person (planner) using the case number.

Case Number 00

Contact Person:

Filing Date: 11/

	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.		
3.	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- 196 -A Address 9070 WALTHAM WOODS ROAD		
Petitio	oner's Name GEORGE & CHERYL WEIDLEY JR Telephone (410) 665 4884		
Posti	ing Date: 11/14/99 Closing Date: 11/29/99		
Word	ling for Sign: To Permit AH ADDITION WITH A SLOEYARD		
38	TBACK OF 9 FEET AND A REVARYAND SETBACK OF 15		
FE	ET IH LIEU OF THE REQUIRED TO FEET AHO 30 FEET		
	ESPECTIVELY		
	WCR - Revised 7/28/99		

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 - 196 - A
-	Petitioner: George + Cheryl Weidley
į	Address or Location: 9070 Waltham Woods Rd Balt. Md. 21234
,	
	PLEASE FORWARD ADVERTISING BILL TO:
	Name: (5e0rge + Chery L Weidlex
	Address: 9070 Waltham Woods Rd.
į	Balt. md. 21234
1	Telephone Number: 410 665-4884

Revised 2/20/98 - SCJ

#100



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

November 29, 1999 RECEIVED JAN 6 8 2000

Department of Permits and Development Management (PDM) County Office Building, Room 111 Mail 5top #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Gwen Stephens

Property Owner: SEE BELCW

Location: DISTRIBUTION MEETING OF November 13, 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.

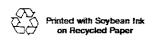
8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

183, 185, 186, 187, 189, 190, 191, 192, 193, 194, 197, 198

REVIEWER: DIEUTENANT HERB TAYLOR, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File





BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

29

Date: November 29, 1999

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): 186, 188, and 196

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.

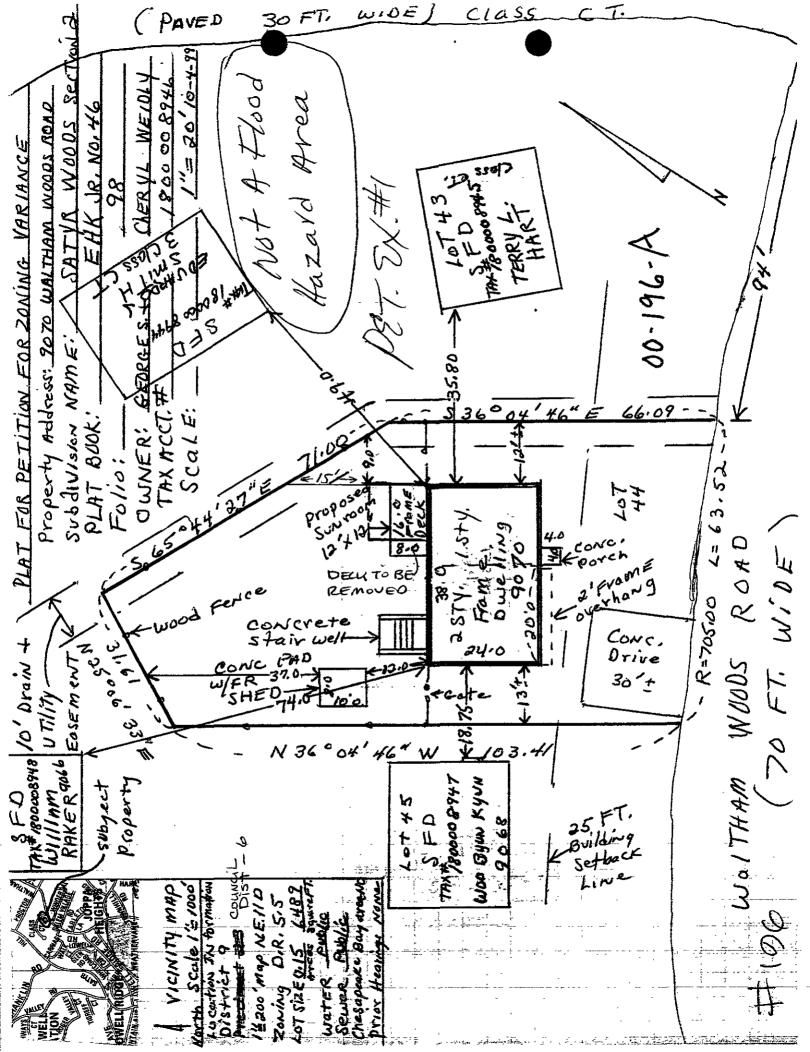
Section Chief:

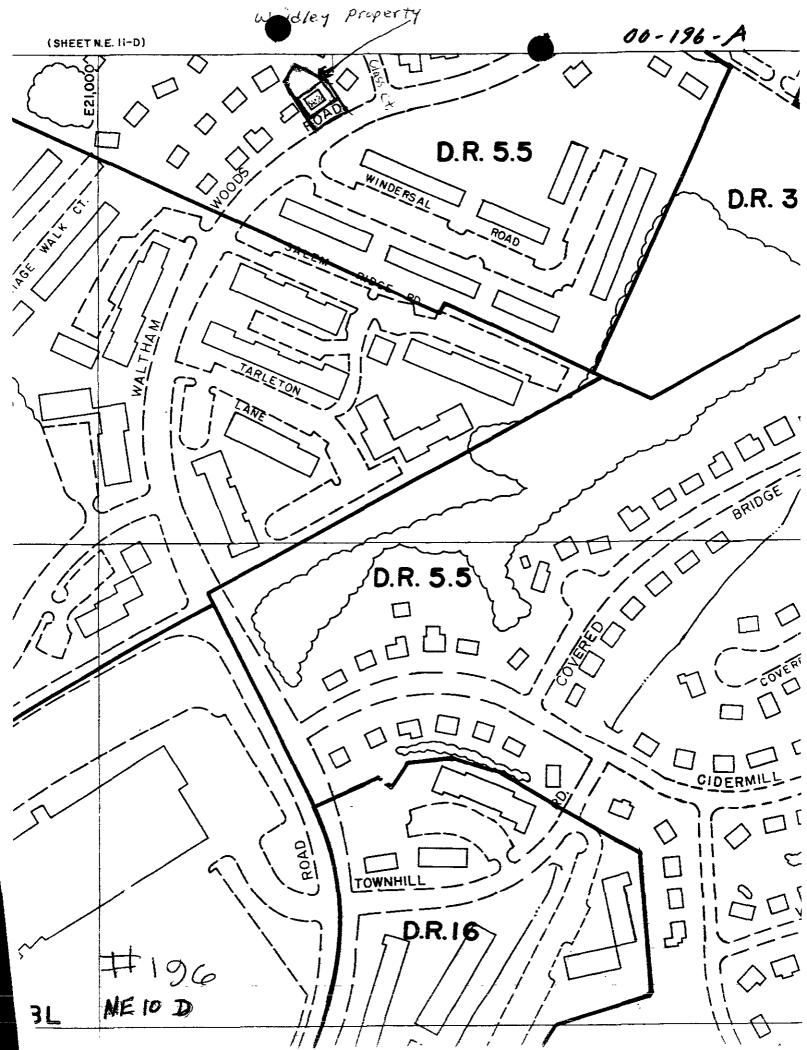
AFK/JL

ZONING EARING FILE INTERNAL HECKLIST

Zoning Case No. 00-196-A

Date Completed/Initials	
#	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
J/A	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
N/A	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
N/A	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



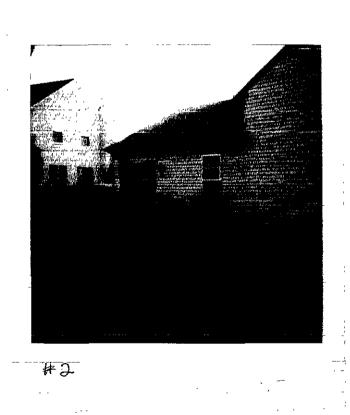




00-196-A

#1

#1 Proposed addition site View From the North EAST SiDe.



#2 Proposed addition site viewed from the North SiDE.

#196