IN RE: PETITION FOR ADMIN. VARIANCE

S/S North Tyrone Road, 160'

NE Armagh Drive

9th Election District

4th Councilmanic District

(201 N. Tyrone Road)

Richard J. & Gayla Sanders

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 00-316-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Richard and Gayla Sanders, property owners, for that property known as 201 N. Tyrone Road in the Rodgers Forge area of Baltimore County. The Petitioners herein seek a variance from Sections 301.1A and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 10 ft. in lieu of the required 22.5 ft. for an addition. 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 March, 2000, that a variance from Sections 301.1A and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 10 ft. in lieu of the required 22.5 ft. for an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

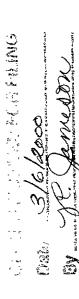
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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





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

Fax: 410-887-3468

March 6, 2000

Mr. & Mrs. Richard J. Sanders 201 N. Tyrone Road Baltimore, Maryland 21212

Re: Petition for Administrative Variance

Case No. 00-316-A

Property: 201 N. Tyrone Road

Dear Mr. & Mrs. Sanders:

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 Department of Permits and Development Management. 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

buth Kotroco

TMK:rai Enclosure



Printed with Soybean Ink

on Recycled Paper











Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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	ior the proj	•			D.R5.5
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This Petition shall be filed with the De owner(s) of the property situate in Baltimomade a part hereof, hereby petition for a \	ore County and	l which is describe Section(s)	ed in the des	cription and pla	t attached hereto and
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to permit a rear	yard.	setback of	L 18 tt	in lie	u of the
required 22.5 ft	ŀ	•		*	
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of the zoning regulations of Baltimore Cou of this petition form.	ınty, to the zon	ning law of Baltimo	ore County, f	or the reasons	indicated on the back
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Attorney For Petitioner:		201 Address	J. TYRONE	RD	4/D-372-1277 Telephone No.
		• :	LORE	MD	21212
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Company	-	Name	·	-	
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Gay State	Telephone No.	Address			Telephone No.
State V	Zip Code	City	_	Stat	e Zip Code
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regulations of Baltimore County and that the property	y be reposted.	•			•
			Zonina Commic	sioner of Baltimore	County
EASE NO. 10-3/4-A	-		AVI		2/2/00
		Reviewed By Estimated Post	<i>WI</i>	Date 2/11/20	7/2/00
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Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	201 N. TYRONE RD	
	BALTIMORE MD City State	21212 Zip Code
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That the Affiant(s) acknowledge(s) that if a f advertising fee and may be required to provide	formal demand is filed, Affiant(s) will be required additional information.	to pay a reposting and
Richard January Signature	Signature Signature	<u> </u>
Richard J. Sanders Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTI I HEREBY CERTIFY, this	ersonally appeared	
the Affiant(s) herein, personally known or sati law that the matters and facts hereinabove set	sfactority identified to me as such Affiant(s), and no forth are true and correct to the best of his/her/their	hade oath in due form of knowledge and belief.
AS WITNESS my hand and Notarial Seal	Mary angle Cornews	ky
Date (Notary Fublic My Commission Expires 5/1/2	280

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	201 N. T	Yeare Ro		
	BALTIMORE City		State	21212 Zip Code
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My Commission Expires

Date



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

which is presently zoned D. R. - 5.5

for the property located at 201 N. TYRONE RD

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of the zoning regulations of Balti	imore County, to the	zoning law of E	laltimore C	ounty, for	the reason	s indicated	on the back
of this petition form.	,	•		•		-	'
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			Zonin	g Commiss	ioner of Baltim	ore County	
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<u> </u>		-	•				
REU 9 15 98		Estimated	l Posting l	оте	<u> 2/11</u>	00	_

Zoning Description for: 201 North Tyrone Road

Beginning at a point on the **South** side of **North Tyrone Road** which is **35 Feet** wide at the distance of **160 feet Northeast** of the centerline of the nearest improved intersecting street **Armagh Drive** which is **35 feet** wide. Being **Lot** # **33**, **Section 2** in the Subdivision of **Armagh** as recorded in Baltimore County **Plat Book** # **12**, **Folio** # **75**, containing **8,215 square feet**. Also known as **201 North Tyrone Road** and located in the **9**th **Election District** and the **4**th **Precinct**.

CERTIFICATE OF POSTING

RE: CASE # 00-316-A
PETITIONER/DEVELOPER
(Mr. Sanders)
DATE OF Closing
(2-28-00)

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 SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

THE SIGN(S) WERE POSTED ON	2-11-00
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	410-687-8405

201 N. Tyrone Road Baltimore, Maryland 21212

2-16

(TELEPHONE NUMBER)

OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 2/2/00 ACCOUNT ROOM-6/50

AMOUNT \$ 50.00

RECEIVED Grad Bear Structures Jac.

FOR: Con Cic Zunia Crimbie

TO C

YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND

DISTRIBUTION

WHITE - CASHIER

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FOR 10. THANKS

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316-A

CASHIER'S VALIDATION

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case I	lumber 00- 3/6 -A Address 20/ N. Tyrone Rd.			
Conta	t Person: Bruno Rudaitis Phone Number: 410-887-3391 Planner, Please Print Your Name			
Filing	Date: $\frac{2/2/\delta\delta}{2}$ Posting Date: $\frac{2/11/\delta\delta}{2}$ Closing Date: $\frac{2/23/\delta\delta}{2}$			
Any c throug	entact made with this office regarding the status of the administrative variance should be 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.			
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)			
Petitio	ner: This Part of the Form is for the Sign Poster Only			
•	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT			
Case	Number 00- 3/6 -A Address 20/N. Tyrone Rd. Ho 516.8214 wk Ho 516.8214 wk Telephone Ho - 372-1277 has			
Petitioner's Name <u>Sanders</u> Telephone <u>4/0 - 372 - /2 77 Am</u>				
Postii	g Date: 2/11/0° Closing Date: 2/28/00			
Wordi	g Date: 2/11/00 Closing Date: 2/28/00 Ing for Sign: To Permit a rear yard setback of 10 ft. in lieu the required 22,5 ft.			
<u> </u>				

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

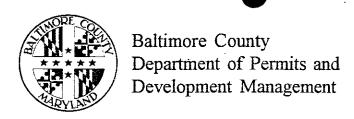
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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: 00-3/6- A Petitioner: DICK & GAYLA SANDERS				
Address or Location: 201 N. TYRONE ROAD, TOWSON 21212				
PLEASE FORWARD ADVERTISING BILL TO:				
Name: DICK & GAYLA SANDERS				
Address: 201 N. TYRONE ROAD				
TOWSON, MD. 21212				
Telephone Number: 410 - 372 - 1277				



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 25, 2000

Mr. Richard J. Sanders 201 N. Tyrone Road Baltimore MD 21212

Dear Mr. Sanders:

RE: Case Number 00-316-A, 201 N. Tyrone Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 2, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,

W. Carl Richards, Jr. Zonina Supervisor

Zoning Review

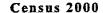
WCR:qqs

Enclosures













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

February 17, 2000

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

RECEIVED FEB 2 5 2000

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 14, 2000

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:

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY; MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

February 16, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of February 14, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
314	55 Music Fair Road
315	16 Trojan Horse Drive
/316	201 N. Tyrone Road
317	12 Barthel Court
318	24 Sagewood Court
319	9644 Dixon Avenue
320	14 - 28 Melrose Avenue
287	5780 Baltimore National Pike

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 22, 2000

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 22, 2000

Item Nos. 314, 315, \$16, 317, 318, 320

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

AV 2/26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: February 17, 2000

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): 316

If there should be any questions or this office can provide additional information, please

ffry W. Ly

contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 2.14.00

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 316

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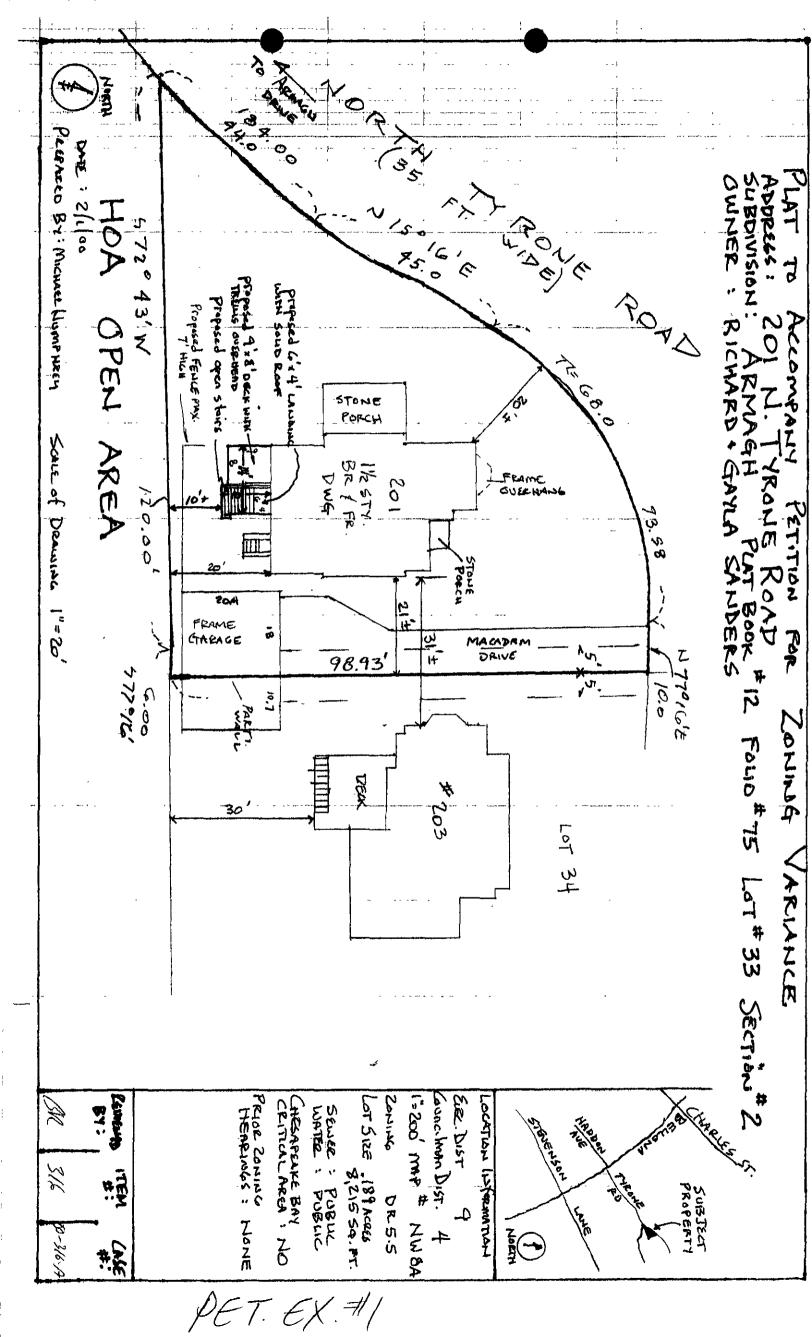
Dear. Ms. Jackson:

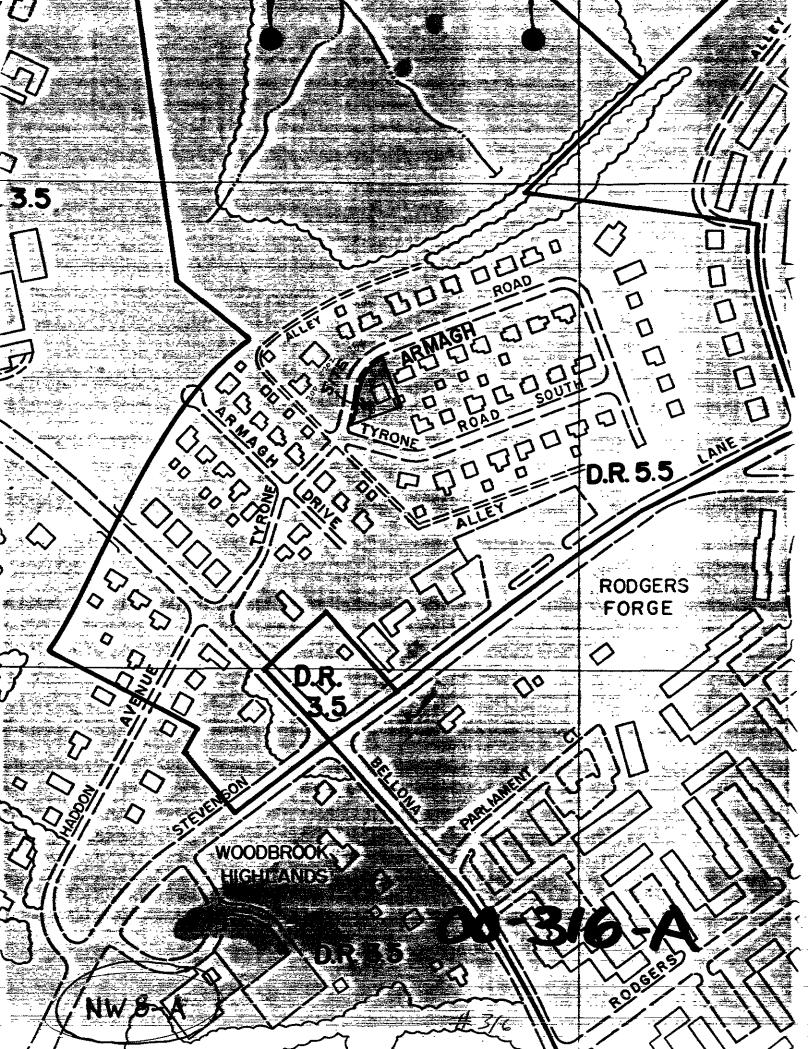
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division







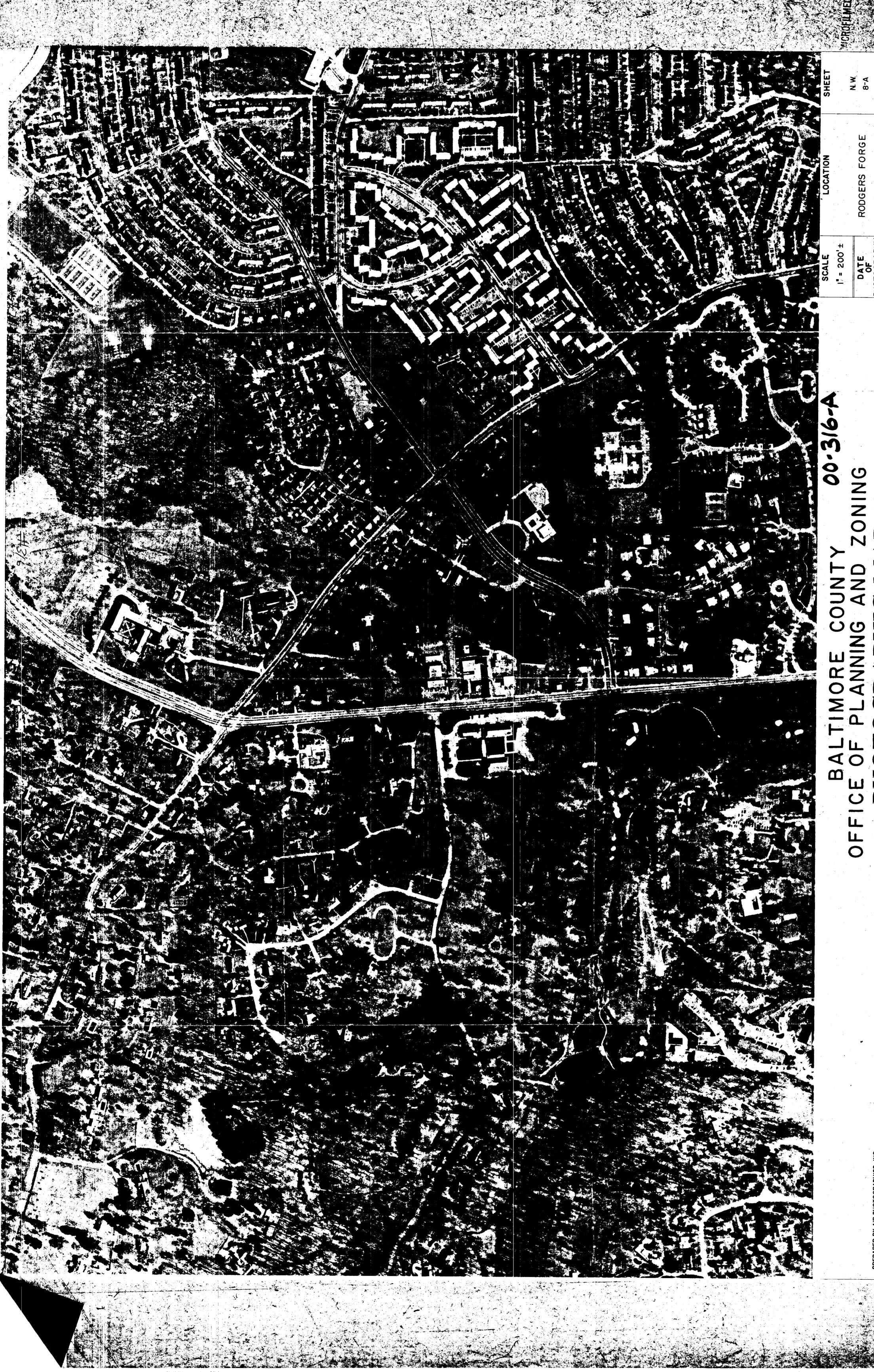
REAR of HOUSE FROM S. TYPONE ACROSS HOA CPEN AREA.



SIDE of House From North Tyrone near intersection of North + South Tyrone RD.



REAR of House from intersection of North + South Tyrone RD.



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