IN RE: PETITION FOR ADMIN. VARIANCE

S/S Sunspot Road, 295' W of Sunnybrook Lane 4th Election District 3rd Councilmanic District (609 Sunspot Road)

(009 Sunspot Road)

James R. & Susan M. Schneider Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 00-325-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by James and Susan Schneider, property owners, for that property known as 609 Sunspot Drive in the Reisterstown area of Baltimore County. The Petitioners herein seek a variance from Section 1A00.3.B.3 (R.D.P. 1975) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a single family dwelling with addition (two-car garage and mudroom) to have a side yard setback of 30 ft. in lieu of the required 50 ft. and to amend the previously approved variance plan (for a 30 ft. front yard setback) in Case No. 79-123-A. 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

SENTED FOR FILING

3/0/00

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 10 th day of March, 2000, that a variance from Section 1A00.3.B.3 (R.D.P. 1975) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a single family dwelling with addition (two-car garage and mudroom) to have a side yard setback of 30 ft. in lieu of the required 50 ft. and to amend the previously approved variance plan (for a 30 ft. front yard setback) in Case No. 79-123-A, 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.

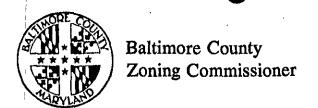
IMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

The state of the s



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

Fax: 410-887-3468

March 10, 2000

Mr. & Mrs. James R. Schneider 609 Sunspot Road Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 00-325-A

Property: 609 Sunspot Road

Dear Mr. & Mrs. Schneider:

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,

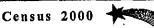
Timothy M. Kotroco

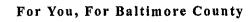
Deputy Zoning Commissioner

withy llotroco

TMK:raj Enclosure















Petition for Administrative Variance

*	to	the Zoning	Commissioner of Baltimore Cour	nty
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**			I/We do solemnly declare and affirm, under the penalties o perjury, that I/we are the legal owner(s) of the property whi is the subject of this Petition.	of ich
Contract Purchaser/Les	see;		Legal Owner(s):	
		_	JAMES P. SCHNEIDEN	
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Attorney For Petitioner:			609 SUNSTOT DO. 11 410.833-69 Address Telephone	42 No.
			EFISTERSTOWN MA 21136	
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CASE NO. OO 3	25 A	Pau	iewed By JL Date 2/8/00	

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.

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ffidavit 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.

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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					Zoning Commissioner of	Baltimore Cour	nty į
CASE NO	00	325	A	Review		ate 2	800
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AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

The following is a statement in support of an administrative variance for a side yard setback for the residence at 609 Sunspot Road, Reisterstown, MD.

We have been living at 609 Sunspot Road for the past twelve years. During that time, we have been raising a family. Our children have now grown into adolescents. As such, our house which was once adequate for our needs is now in need of expansion. We have decided that the best way to meet our needs is to construct an addition. The proposed addition would consist of a mudroom and a two-car garage. In the future, we would like to build a room in the attic over the garage.

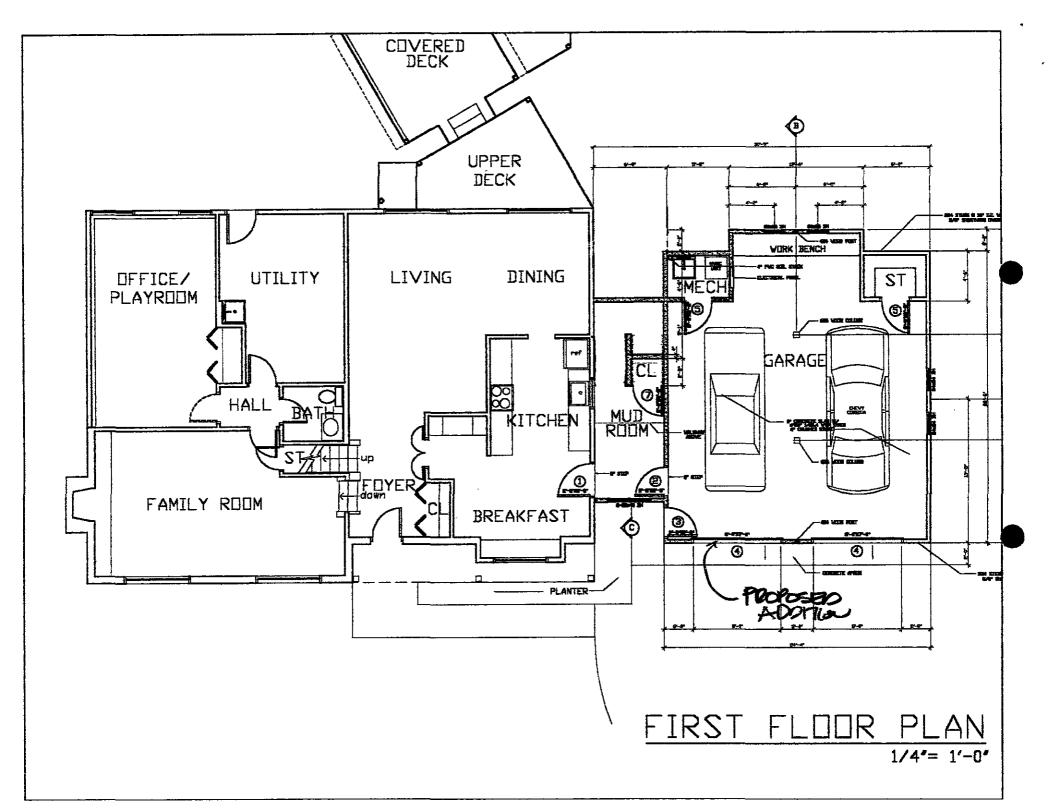
The mudroom is necessary because the primary entrance to the house is from the side door directly into the kitchen. This room in generally used to store wet clothing, shoes, etc. in inclement weather. This is because it is the first place inside the house, out of the weather. A mudroom would move this function out of this room and with it the disruption from the kitchen. The garage/ workroom is necessary to extend the safe and secure area of the house and provide additional needed space.

The addition would be difficult to locate elsewhere on the site. The front of the house was originally constructed with a front yard setback variance. The only place that the addition could be constructed without violating a setback is in the rear yard. The site slopes steeply from north to south. Siting an addition in the rear yard would make access by road difficult. In addition, the garage would not work well as a part of the floorplan of the house if located elsewhere. This can be seen in the attached drawing.

The attached floor plan shows the existing plan of the house, as well as the proposed addition. It projects 31 feet for the existing structure. According to the plat, the existing house is 69 feet from the property line. Therefore, the addition will violate the 50 foot setback by only 12 feet.

I have discussed this project with my neighbors, the Marcus family. Their house is the only one close to the proposed addition. Their house is approximately 150 feet from our house. We share a common driveway as a part of two panhandle lots. They are supportive of the idea, and have no problems with the proposed addition. A letter from the Marcus family certifying this is also attached.

JAMES R SCHNEIDER, AIA
609 SUNSPOT ROAD, REISTERSTOWN, MD 20136



January 30, 2000

To whom it may concern:

I have reviewed the proposed plans for a garage addition at 609 Sunspot Road which is directly adjacent to my property, 611 Sunspot Road. I understand that the addition will be constructed on the end of their house, facing mine. The addition will extend approximately thirty-one feet from the existing house.

I have no objection to my neighbors constructing an addition which will I understand will house a two car garage and mudroom. I believe that the addition will be an asset to the neighborhood.

If you have any further questions or wish to discuss this matter further, please call me at 410-526-6426.

Douglas and Marsha Marcus

611 Sunspot Road

Sincerely

Reisterstown, MD 21136

325

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 609 Sunspot Road, Reisterstown, MD.

Beginning at a point on the <u>South</u> side of <u>Sunspot Road</u> which is <u>50 feet</u> wide at the distance of <u>295 feet West</u> of the centerline of the nearest improved intersecting street, <u>Sunnymeadow Lane</u>, which is <u>50 feet</u> wide.

Being Lot #11, Block (NA), Section One in the subdivision of Owings Manor as recorded in Baltimore County Plat Book #40, Folio #15, containing 47,916 square feet. Also known as 609

Sunspot Road, Reisterstown, MD. and located in the 4th Election District, 3rd Councilmanic District.

JAMES R SCHNEIDER, AIA 609 SUNSPOT ROAD, REISTERSTOWN, MD 21136

OFFICE OF BUDGET MISCELLANEOUS DATE 2/8/00	S RECEIPT	THE BUILT IN THE TRANSPORT OF THE PROPERTY OF
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DISTRIBUTION WHITE - CASHIER PI	NK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

	RE: Case No.: 00-325-A
·	Petitioner/Developer:
	James R. Schneider
	Date of Hearing/Closing: 3-6-00
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 were posted conspicuously on the property Reisterstown, MD 21136	f perjury that the necessary sign(s) required by law located at <u>609 Sunspot Rd</u>
The sign(s) were posted onFebruar	V 17, 29 00
ADMINISTRATIVE AND A STATE OF THE STATE OF T	Sincerely, Sincerely, (Signature of Sign Poster and Date)
	SHANNON BALLMISIGNS INC. 105 COMPETITIVE GOALS DR. ELDERSBURG: L. 21784 (City, State, Zip Code) 40.781.400 (Telephone Number)
commissioner. He may: (a) grant the recorder that the matter be set in for a purifically within 7 to 10 days of the closing denied, or will go to public hearing. The office of the denied of the commissioner), notification will be forward changed giving notice of the hearing date, posted, certification of this change and a recorder.	s not complete on the closing date. e will be reviewed by the zoning or deputy zoning equested relief; (b) deny the requested relief; or (c) ublic hearing. You will receive written notification g date) as to whether the petition has been granted, rder will be mailed to you by First Class mail. POSTING: In cases that must go to a public hearing quest or by order of the zoning or deputy zoning rded to you. The sign on the property must be time and location. As when the sign was originally photograph of the altered sign must be forwarded to
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Petitioner: This Part of the Form is for the Sig	
	TelephoneClosing Date:

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.

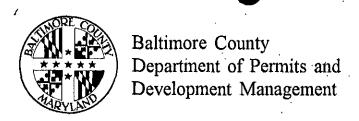
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising: Item Number or Case Number:
Petitioner:
Address or Location: Log SUNSPOT ED, PEISTERSTOWN, MD. 21136
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address: 609 SUNSPOT 20.
DEISTERSTOWN, MO. 21136
Telephone Number: 410.833.6942

Revised 2/20/98 - SCJ

00-325-A



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

March 6, 2000

Mr. & Mrs. James R. Schneider 609 Sunset Road Reisterstown MD 21136

Dear Mr. & Mrs. Schneider:

RE: Case Number 00-325-A, 609 Sunset Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 8, 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.

Sincerelv

W. Carl Richards. **Zoning Supervisor**

Zoning Review

WCR:ggs

Enclosures

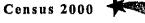


Printed with Soybean Ink

on Recycled Paper







BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 23, 2000

Department of Permits & Development

Management

FROM: \

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 28, 2000

Item Nos. 321, 323, 324, 325, 327, 328,

329, 330, 331, 332,

and

Case #99-488-SPHA 1823 York Road

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

RWB:HJO:jrb

cc: File



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

February 22, 2000

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

RECEIVED MAR 0 3 2000

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 22, 2000

Item No.: SEE BELOW

Dear Ms. Stephens:

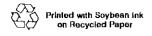
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

325) 327, 328, 330, 331, 332,

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:

March 8, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of February 22, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
323	9013 Liberty Road
324	9704 William Parks Road
325	609 Sunspot Road
327	314 Garrison Forest Road
328	122 Grist Shore Way
330	9901 York Road
331	4017 Black Rock Road
303	500-512 Eastern Boulevard
488	1823 York Road
321	408 Delaware Avenue
322	Melrose Avenue/Egges Lane
L	

A/3/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

FEB 2 2

Date: February 22, 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): 325

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



Maryland Department of Transportation State Highway Administration

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

Date: 2.24.00

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

Baltimore County RE:

Item No. 325

16-

RECEIVED MAR D 3 2000

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.

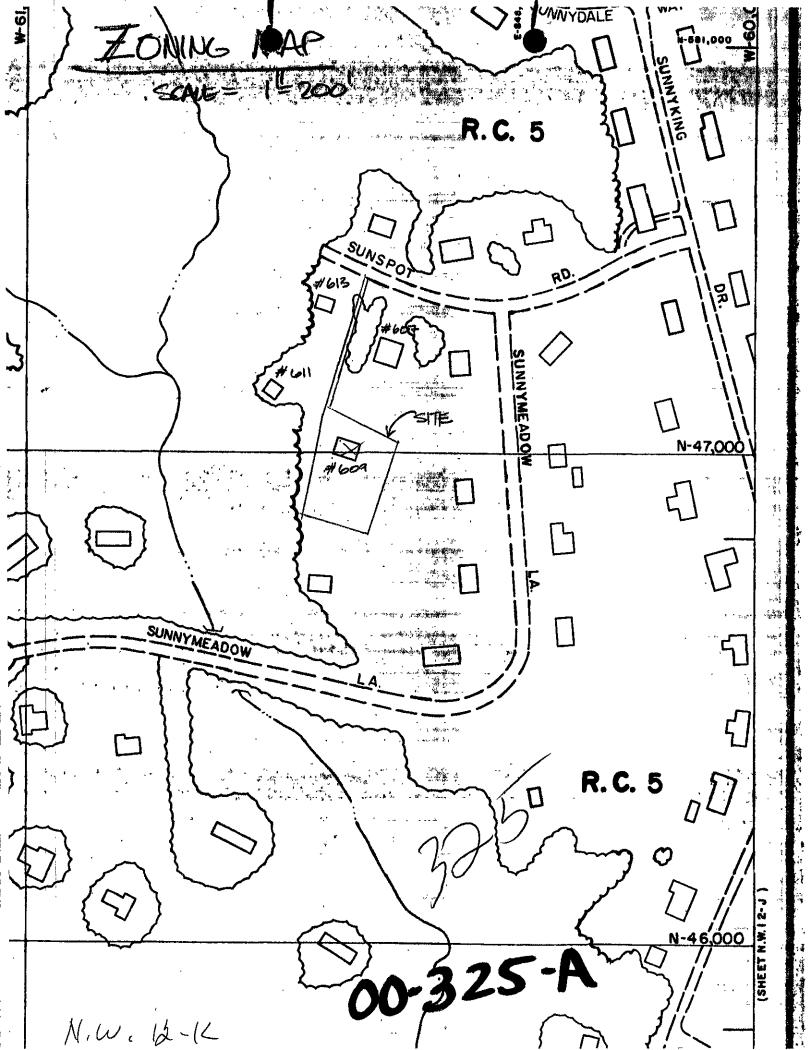
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

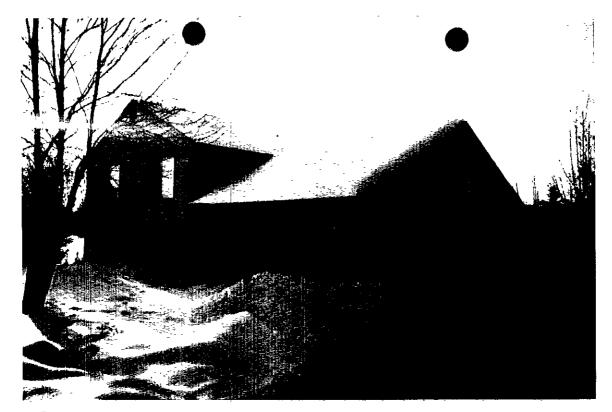
J. J. Dolla

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

Plat 🐌 accompai	ny Petition for Zonin	g X Varia ce	Special Hearing
PROPERTY ADDRESS: 609			ECKLIST for additional required information
Subdivision name: OWINGS MAN	J		Reisterstown
plat book# 40 ,follo# 15 ,lot# 11	,section#_6NE_	<u> </u>	Evergreep SEE GRID D11 1 CHERRY MANUR CT 2 WILL CHERRY CT 3 BLACK CHERRY CT
OWNER: JAMES & SUSAN SCHI	HEIDER		SUNGOLD RO CHIRCH SUNNYKING OR SUNGOLD RO
· \$	20		GARDERRY T.20500 CHURCH CO. T.20500 THE TOTAL CO. S.
	A A CO		CHURCH
	BOOKE POWELL STEEL SUNS		HICKORY A DESIGNATION OF THE STREET AND STRE
	# 613 - 00/595		SUNNYMEADOW 4 STURRAL DELIGHT
i akr	8/11/2/2		EUNBROOK E
		2951	
	W PRISCILLA CHAU	SUNIAN INCOME	Vicinity Map
	£ . 2///2	ANTE ASOL	scale: 1'=1000'
DOGLES MARCUS			LOCATION INFORMATION
#611		1	lection District: 4
~	So. PEOPOSED ADDITION- 22 72 72 74		Councilmanic District: 3
		1	*=200 scale map#: NW IZK
A.	(N) No see		Zoning: RC 5
	1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	1	of size: 1.10 AC 47.915 SE
•			acreage square feet
			SEWER:
			WATER:
٠	18	,	thesapeake Bay Critical Area:
	M. M		rior Zoning Hearings: 791884
	///		00-325-A
		77 C. 1 + 1	Coning Office USE ONLY!
North	(0)	μ	eviewed by: ITEM #: CASE#:
prepared by: J. SCHNEIDER	Scale of Drawing: 1 = loo	LIERE 7482 FOUO 670	JV 325



PHOTOGRAPH KET NTS. SUNS POT



(A) EXISTING RESIDENCE - 609 SUNSPOT



(B) VIEW OF MARCUS RESIDENCE611 SUINSPOT RD
37.

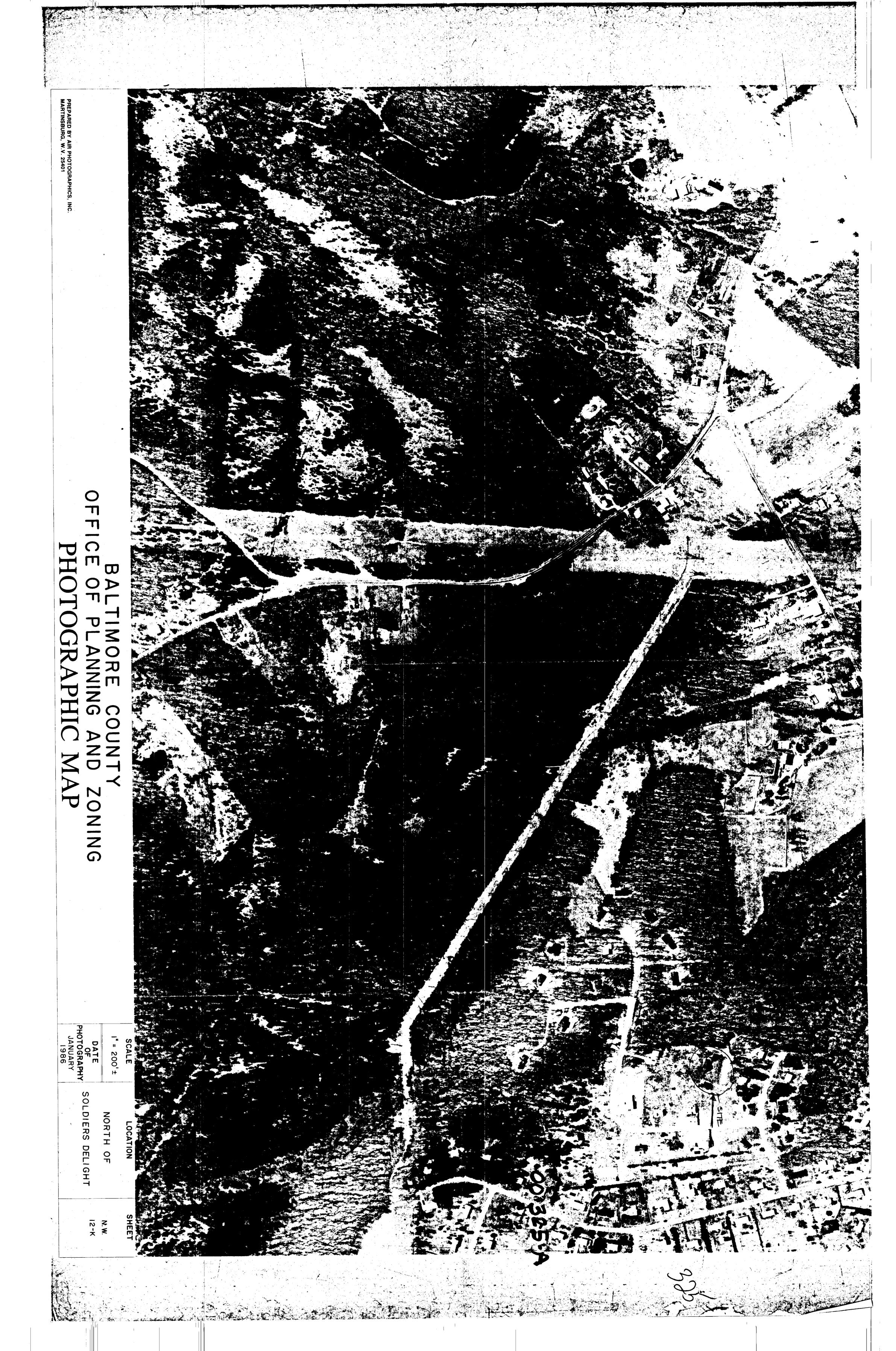


C.) YIEW OF CHAN RESIDENCE 607 SUNSPOT RD



D. VIEW OF POWELL RESIDENCE / 6/3 SUNSPOT RD.

375



ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 325 -A Address 609 SUNSPAT R.D
Contact Person: Votal Lifewis Phone Number: 410-887-3391
Filing Date: 2/8/00 Posting Date: 2/18/00 Closing Date: 3/6/00
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 00-325 -A Address 609 SUNSPOT RD
Petitioner's Name <u>JAMES+ SUS AN SCHNEIDER</u> . Telephone
Posting Date: $\frac{2/8/00}{}$ Closing Date: $\frac{3/6/60}{}$
Wording for Sign: To Permit A SINILE FAMILY DWELLING ADDITION (GARAGE) WITH
A SIDE YARD SETBACK OF 30 FT. IN LIEU OF 50 FT.