IN RE: PETITION FOR ADMIN. VARIANCE SW/S Darius Court, 470' +/- NE

Centerline of Jonas Way 1st Election District 2nd Councilmanic District

(1434 Darius Court)

Joyce O. Gordon-Bradley Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 00-360-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Joyce O. Gordon-Bradley, property owner, for that property known as 1434 Darius Court in the Catonsville area of Baltimore County. The Petitioner herein seeks a variance from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R) and Section VB6b of the Comprehensive Manual of Development Policies (CMDP), to permit an existing dwelling with a one-story addition to have a side yard setback of 6 ft. in lieu of the required 15 ft. The subject property and relief sought are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner 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 Petitioner has 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 Petitioner.

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 Aday of March, 2000, that a variance from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R) and Section VB6b of the Comprehensive Manual of Development Policies (CMDP), to permit an existing dwelling with a one-story addition to have a side yard setback of 6 ft. in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner 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

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

Fax: 410-887-3468

March 30, 2000

Ms. Joyce O. Gordon-Bradley 1434 Darius Court Baltimore, Maryland 21207

Re: Petition for Administrative Variance

Case No. 00-360-A

Property: 1434 Darius Court

Dear Ms. Gordon-Bradley:

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

buthy Kotroco

TMK:raj Enclosure

C: Mr. Charles Steinhauser3917 Esgarth WayOwings Mills, MD 21117



Printed with Soybean Ink

on Recycled Paper



For You, For Baltimore County



Census 2000





REU 9115198

### Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	1434	DARIUS	Court
		y zoned	

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) 504, (B.C. Z. R), くちんし(CMDP)

TO PERMIT AN EXISTING DWELLING WITH A OHE STORY ADDITION TO HAVE A SIDEYARD SETBACK OF 6 FEET IN LIEU OF THE REQUIRED 15 FEET

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: Legal Owner(s): Name - Type or Print Signature Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signatère Соприпу Telephone No. Zip Code State Public Hearing having been formally demanded and/or found to be required; it is ordered by the Zoning Commissioner of Baltimore County, 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 Saltimore County ASE NO. 00-360-A

Reviewed By

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. That the Affiant(s) does/do presently reside at 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): HARRICE + HARDER to get hum up t down the steps. We need more Living space on the 1st floor As he spends most of his time on the int floor. Un fortunatly his situation 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. Signature Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit 2000, before me, a Notary Public of the State day of I HEREBY CERTIFY, this of Maryland, in and for the County aforesaid, personally appeared 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 14 Feb 240 **Notary Public** 

My Commission Expires

RE0 09115198

# 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	1434	DARTUS CO	buet	
That the Amanday does do preschily recide at	Address //	MA	6	2/20 7 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardstown of the following for the	owing are the fa hip or practical d AR HARIT AL MIM MORE AS h	tic tenees up + dou living sp e spends	It Ish on the Ace on most of	ARD et
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide Signature  Signature  Name - Type or Print	e additional inforr	is filed, Affiant(s) will be mation.  Signature  Name - Type or Print	pe required to pay	a reposting and
of Maryland, in and for the County aforesaid, a	Feb ersonally appea	red ied to me as such Affia	fore me, a Notary P	th in due form of
law that the matters and facts hereinabove set	t forth are true ar	nd correct to the best of	his/her/their knowle	dge and belief.
AS WITNESS my hand and Notarial Seal				
18 Feb 2000 Date	Nota	ry Public		
	Му С	Commission Expires	1 06/09/0	<del> </del>
REV 09115198			,	



REU 9/15/98

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 1434 DARIUS GOET which is presently zoned D12 5.5

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) 504 (B.C.Z.R.) VB6 D (CMDP)

TO PERMIT AH EXISTIHG DWELLING WITH A ONE STORY ADDITION TO HAVE A SIDE YARD SETBACK OF 6 FEET IN LIEU OF THE REQUIRED IS FEET.

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 Purchase	er/Lessee:		Legal Owner(s):
N	A		& Joyce O. GO Rom-BRAdley
Name - Type or Print			Name - Typefor Point of Saud lay
Signature			Signature
Address		Telephone No.	Name - Type or Print
City	State	Zip Code	Signature    Signature   Signa
Attorney For Petiti	oner:		Address Telephone No.
Name - Type or Print			City State Zip Code
			Representative to be Contacted:
Signature			Charles Stemhauser
Company			Name 3917 Esgarth Way 4105819539
Address		Telephone No.	Address Telephone No.
City	State	Zip Code	Owings hills Mb 21117 City State Zip Code
A Public Hearing having this day of regulations of Baltimore Cor	, th	at the subject matter o	be required, it is ordered by the Zening Commissioner of Baltimore County, f this petition be set for a public hearing, advertised, as required by the zoning
			Zeria Carrelli iana di Dellima a Carrelli

Reviewed By CTM

Estimated Posting Date

### ZONING DESCRIPTION

Zoning description for 1434 Darius Court.

Beginning at a point on the southwest side of Darius Court, which is 80 feet wide, at a distance of 470 feet +/- northeast of the center line of the nearest improved intersecting street, Jonas Way, which is 80 feet wide. Being Lot# 47, Block (none), Section 5 in the subdivision Discovery Acres, as recorded in Baltimore County Plat Book #44, Folio #114, containing 3,800 square feet. Also known as 1434 Darius Court and located in the 1st election district, 2nd councilmatic district.

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	FOR: CACIALICE O	PROM: ACCULATE ENTEDERS	AMOUNT \$ / C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C	DATE STATE ACCOUNT (S.C.) C. C.C.	BALTIMORE COUNTY, MARYLAN No. 078926 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT
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#### **CERTIFICATE OF POSTING**

RE: CASE #00-360-A
PETITIONER/DEVELOPER
(Gordon Bradley)
DATE OF Closing
(Mar. 27, 2000)

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

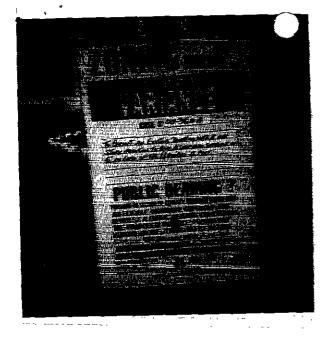
ATTENTION: MS. GWENDOLYN STEPHENS

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 1434 Darius Court Baltimore, Maryland 21241\_\_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ 3-10-00 \_\_\_\_\_

(Month, Day, Year)



Sincerely,  Ohom 1 1/8/3/10/00
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

BALTIMORE COUNTY DEPARTMEN	NT OF PERMITS AND D	EVELOPMENT	MAINAGEMEN
DALTIMORE GOOTTI	ZONING REVIEW		

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

	Case Number 00- 360 -A Address 1434 DARIUS CT.
ı	Contact Person: LIOYD T. MOXCEY Phone Number: 410-887-3391  Planner, Please Print Your Name
17	Filing Date: 3/2/00 Posting Date: 3/12/00 Closing Date: 3/27/00
ZZ	Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
HAUF RECI	1. 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 reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reverse side of this form) and the petitioner is 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.
RECEIVED	2. <u>DEADLINE:</u> 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.
O POSTING	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.
THGIHA	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.
Ċ,	(Detach Along Dotted Line)
	Petitioner: This Part of the Form is for the Sign Poster Only
2	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
13/400	Case Number 00-360 -A Address 1434 DARIUS CT.
17	LOVE O GORDON-BRADCEY Telephone
00	Petitioner's Name 10/22 State: 3/27/00  Posting Date: 3/12/00 Closing Date: 3/27/00
	Warding for Sign: To Permit AH EXISTING DWELLING WITH A
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	15 FEET.
	MCD Paylend 7/28/00

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.

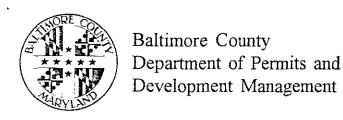
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Petitioner: Joyce Gordon Bradley
Address or Location: 1434 DARIUS COURT BALT Med 2120
PLEASE FORWARD ADVĘRTISING BILL TO:
Name: Accurate Bulders Inc
Address: 39/7 ESGARTH WAY
Owings Mills And 21117
Telephone Number: 410 -581 - 9535

Revised 2/20/98 - SCJ

	prepared by: C Stewhards Scale of Drawing: 1'= 20
Zoning (	
Chesapeake Bay Critical Area: Prior Zoning Hearings:	
Zoning: Lot size:	
1*=200 scale map#:	
Election District: Councilmanic District:	
LOCATION INFORMATION	
151	Ĺ
David	OWNER: Duce Gordon Readley
HECKI CO	Plat to accompany Petition for Zoning X Variance Special Hearing PROPERTY ADDRESS: 1434 WARLUS COCK See Pages 5 & 6 of the CHECKLIST for additional required information



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

March 24, 2000

Mr Charles Steinhauser 3917 Esgarth Way Owings Mills MD 21117

Dear Mr Steinhauser:

RE: Case Number 00-360-A, 1434 Darius Court

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

Zoning Review

WCR:ggs

Enclosures











### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** April 21, 2000

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 20, 2000

Item Nos. 353, 355, 356, 357, 359, 366

and 361

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

RWB:HIO:jrb

cc: File



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

March 21, 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 MARCH 13, 2000

Item No.: 353, 356, 357, 359, 360 AND 361

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME.

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 My

DATE:

March 15, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of March 13, 2000

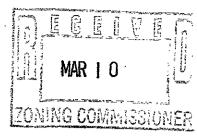
DEPRM has no comments for the following zoning petitions:

Item #	Address
354	7922-7930 Wise Avenue
355	7531 Bel Air Road
358	Highgate/Cedar Avenue
359	313 Weatherbee Road
(360)	1434 Darius Court
361	13803 Manor Glen Road

AV 3/27

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE



Date: March 10, 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): 337, 349, 359, 360 and 361

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



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

Date: 3.13.00

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

**Baltimore County** RE:

Item No.

360 LTM

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,

Jr Kenneth A. McDonald Jr., Chief

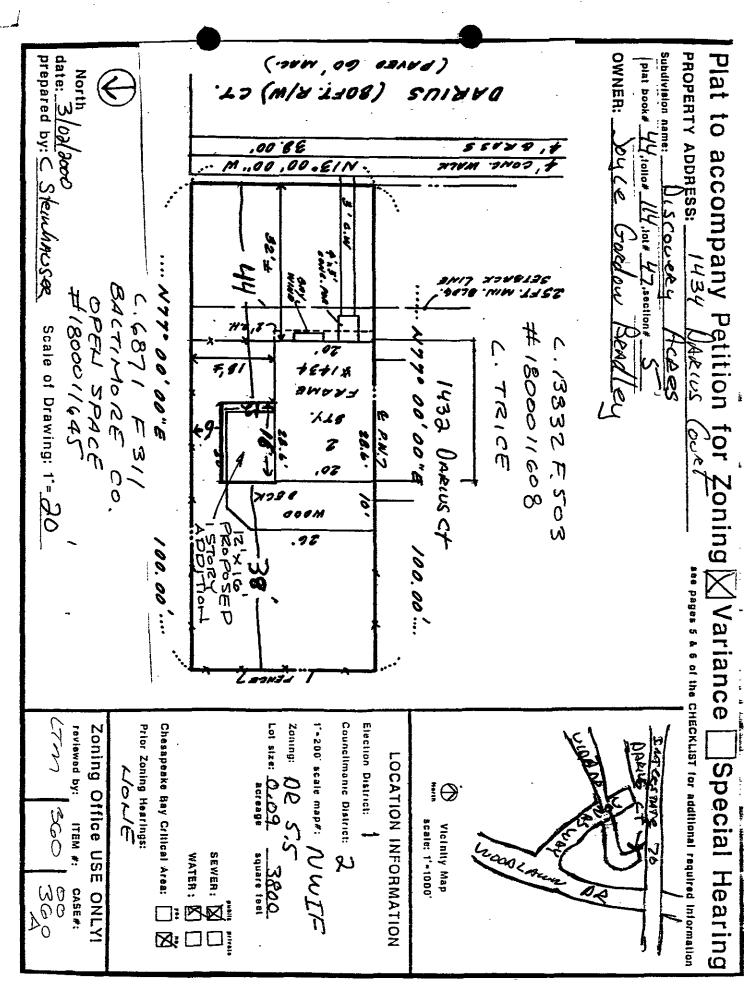
f. J. Doller

Engineering Access Permits Division

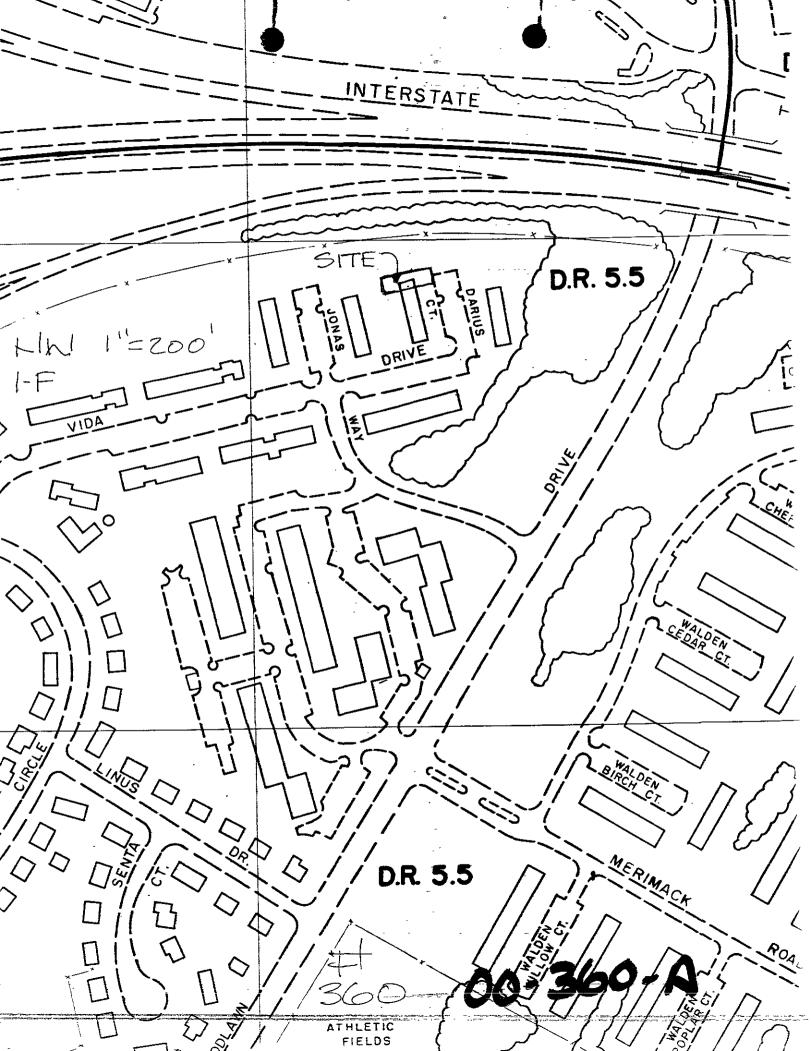
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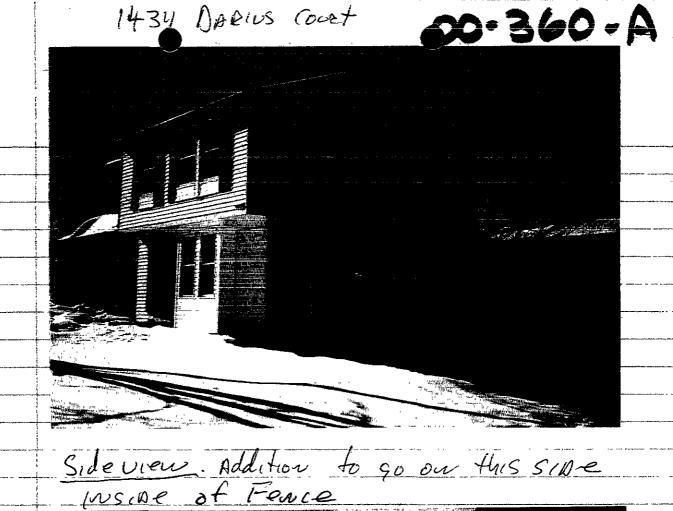
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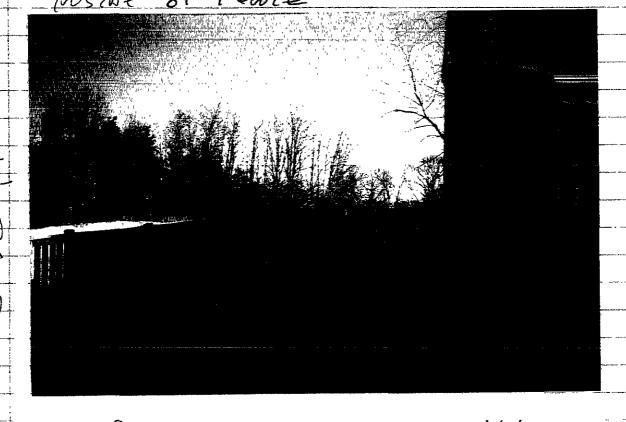
# 360



Pet. E. #1







View from Rear Seft Sine - Addition to applice existing decking on Sine of house puller and aft further towards proporty line

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZON
PHOTOGRAPHIC MAP

36

CATONSVILLE

PREPARED BY AIR PHOTOGRAPHICS, INC.