

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Piccadilly Road, 469' E of the c/l
Chestnut Avenue
(515 Piccadilly Road)
9th Election District
5th Councilmanic District

Robert S. Yates, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-388-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Robert S. and Ruth A. Yates. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 9 feet in lieu of the required 10 feet, and to permit a sum of the side yards of 19 feet in lieu of the required 25 feet for a proposed 26' x 26' garage addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

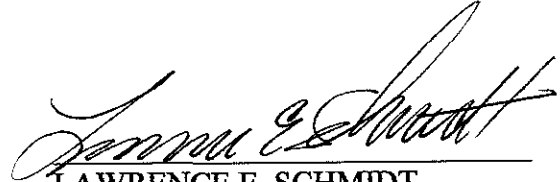
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, 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.

ORDER RECEIVED FOR FILING
Date 5/2/00
By [Signature]

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of April, 2000 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 9 feet in lieu of the required 10 feet, and to permit a sum of the side yards of 19 feet in lieu of the required 25 feet for a proposed garage addition, 26' x 24' in dimension, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 4/21/00
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 21, 2000

Mr. & Mrs. Robert S. Yates
515 Piccadilly Road
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Piccadilly Road, 469' E of the c/l Chestnut Avenue
(515 Piccadilly Road)
9th Election District – 5th Councilmanic District
Robert S. Yates, et ux - Petitioners
Case No. 00-388-A

Dear Mr. & Mrs. Yates:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Vincent DeLair
1113 Baldwin Mill Road, Jarrettsville, Md. 21084
People's Counsel; Case File

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 515 Pinnacly Rd.
which is presently zoned D.R. -3.5

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) 1B02.3.c.1 to permit a side yard setback of 9 ft. in lieu of the required 10 ft. and to permit a minimum sum of side yards of 19 ft. in lieu of the required 25 ft.

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:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Robert S. YATES
Name - Type or Print _____
[Signature]
Signature _____
RUTH A. YATES
Name - Type or Print _____
[Signature]
Signature _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

515 Pinnacly Rd. 410-825-5066
Address Telephone No.
Towson MD 21204
City State Zip Code

Representative to be Contacted:

Vincent Delair
Name _____
1113 Baldwin Mill Rd. 410-557-0555
Address Telephone No.
Jarrettsville MD. 21084
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ 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 Baltimore County

CASE NO. 00-388-A

Reviewed By BR Date 3/21/00

Estimated Posting Date 4/2/00

ORDER RECEIVED FOR FILING
Date 4/2/00
By [Signature]

REV 9/15/98

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.

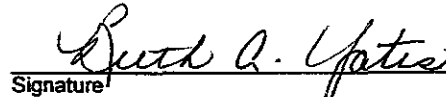
That the Affiant(s) does/do presently reside at 515 PICADILLY RD.
Address
TOWSON MD 21204
City State Zip Code

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):

THAT IN ORDER TO ADD A GARAGE AND LIVING SPACE
YET NOT INTERFERE WITH THE EXISTING BASEMENT
GARAGE ENTRANCE AND MAINTAIN USABLE YARD AREA,
A NINE FOOT SIDE SETBACK WOULD BE NECESSARY.

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
ROBERT S. YATES
Name - Type or Print


Signature
RUTH A. YATES
Name - Type or Print


STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of March, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROBERT S. YATES AND RUTH A. YATES
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

3-14-2000
Date


Notary Public
SANDI L. TUNNEY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 23, 2003
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.

That the Affiant(s) does/do presently reside at 515 PICADILLY RD.
Address
TOWSON MD 21204
City State Zip Code

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):

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YET NOT INTERFERE WITH THE EXISTING BASEMENT
GARAGE ENTRANCE AND MAINTAIN USABLE YARD AREA,
A NINE FOOT SIDE SETBACK WOULD BE NECESSARY.

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]
Signature
ROBERT S. YATES
Name - Type or Print

[Signature]
Signature
RUTH A. YATES
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of March, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROBERT S. YATES AND RUTH A. YATES
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

3-14-2000'
Date

[Signature] SANDI L. TUNNEY
Notary Public NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 23, 2003
My Commission Expires _____



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 515 Pimlico Rd.
which is presently zoned D.R. -3.5

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)

1302.3.C.1 to permit a side yard setback of 9 ft. in lieu of the required 10 ft. and to permit a minimum sum of side yards of 19 ft. in lieu of the required 25 ft.

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Robert S. YATES
Name - Type or Print

[Signature]
Signature

RUTH A. YATES
Name - Type or Print

[Signature]
Signature

515 PIMLICO RD. 410-825-5066
Address Telephone No.

TOWSON MO 21204
City State Zip Code

Representative to be Contacted:

VINCENT DELAIR
Name

1113 BALDWIN MILL RD. 410-808-3174 ext. 410-557-0555
Address Telephone No.

JANETSVILLE MD. 21084
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___ 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 Baltimore County

CASE NO. DD 388-A

Reviewed By BR Date 3/21/00

REU 9/15/98

Estimated Posting Date 4/2/00

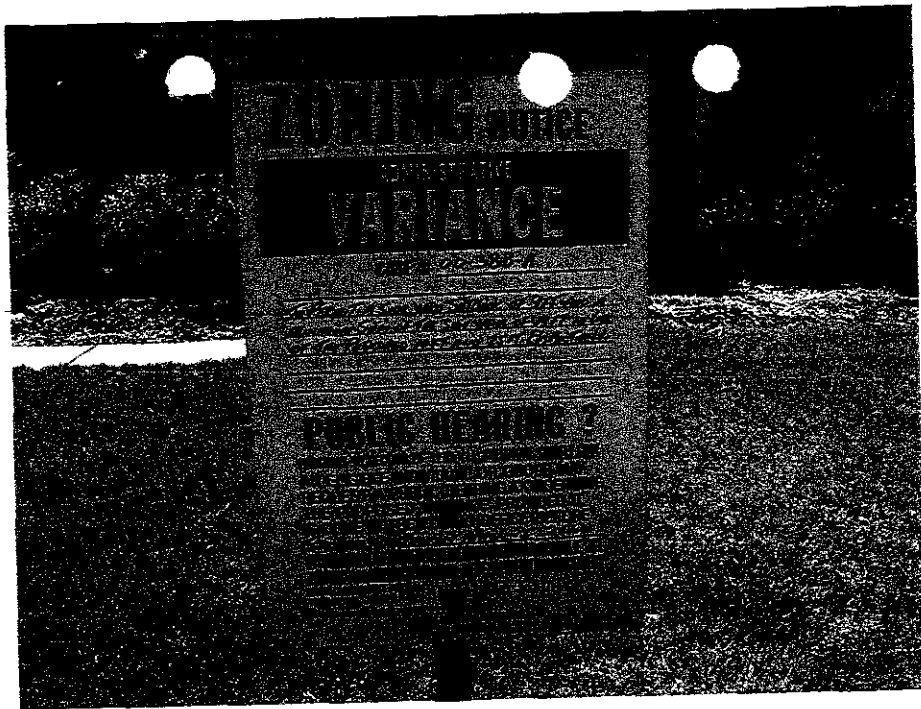
ZONING DESCRIPTION FOR SIS PICCADILLY RD.

BEGINNING AT A POINT ON THE SOUTH SIDE OF PICCADILLY RD. WHICH IS 30' WIDE AT A DISTANCE OF 469' EAST OF THE NEAREST IMPROVED INTERSECTING STREET CHESTNUT AVE WHICH IS 22' WIDE. BEING LOT # 133

IN THE SUBDIVISION OF CHESTNUT HILL AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 14, FOLIO # 064, CONTAINING .20 ACRES. ALSO KNOWN AS SIS PICCADILLY RD. AND LOCATED IN THE 9TH ELECTION DISTRICT, 5TH COUNCILMANIC DISTRICT.

00-388-A

388



Posted at 515 Picadilly Road

CERTIFICATE OF POSTING

**RE: CASE # 00-388-A
PETITIONER/DEVELOPER
(Robert Yates)
DATE OF Closing
(4-17-00)**

**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**

515 Picadilly Road Baltimore, Maryland 21204_____

THE SIGN(S) WERE POSTED ON_____ 3-31-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(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

Case Number 00- 388 -A Address 515 Picadilly Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/21/00 Posting Date: 4/2/00 Closing Date: 4/17/00

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. **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 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)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00- 388 -A Address 515 Picadilly Rd.

Petitioner's Name Robert & Ruth Yates Telephone 410-825-5066

Posting Date: 4/2/00 Closing Date: 4/17/00

Wording for Sign: To Permit a side yard setback of 9 ft. and a minimum sum of the side yards of 19 ft. in lieu of the required 10 ft. and 25 ft. respectively.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 60-388-A

Petitioner: ROBERT + RUTH YATES

Address or Location: SIS PICADILLY RD. TOWSON MD. 21204

PLEASE FORWARD ADVERTISING BILL TO:

Name: AMERICAN DESIGN + BUILD LTD

Address: 1113 BALDWIN MILL RD.

JARRETSVILLE MD. 21084

Telephone Number: 410-557-0555

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

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

April 17, 2000

Mr. Vincent Delair
1113 Baldwin Mill Road
Jarrettsville MD 21084

Dear Mr. Delair:

RE: Case Number 00-388-A , 515 Picadilly Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 21, 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



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

PV
4/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 3, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

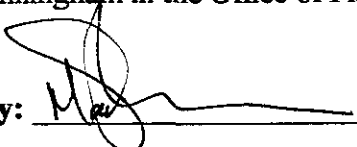
APR - 3

SUBJECT: Zoning Advisory Petitions

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

Item No(s): **375/377/388**

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

Prepared by:  _____

Section Chief: 

AFK/JL:MC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4-3-00

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

RE: Baltimore County
Item No. 388

BR

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,

A handwritten signature in cursive script, appearing to read 'K. A. McDonald Jr.'.

for

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

My telephone number is _____

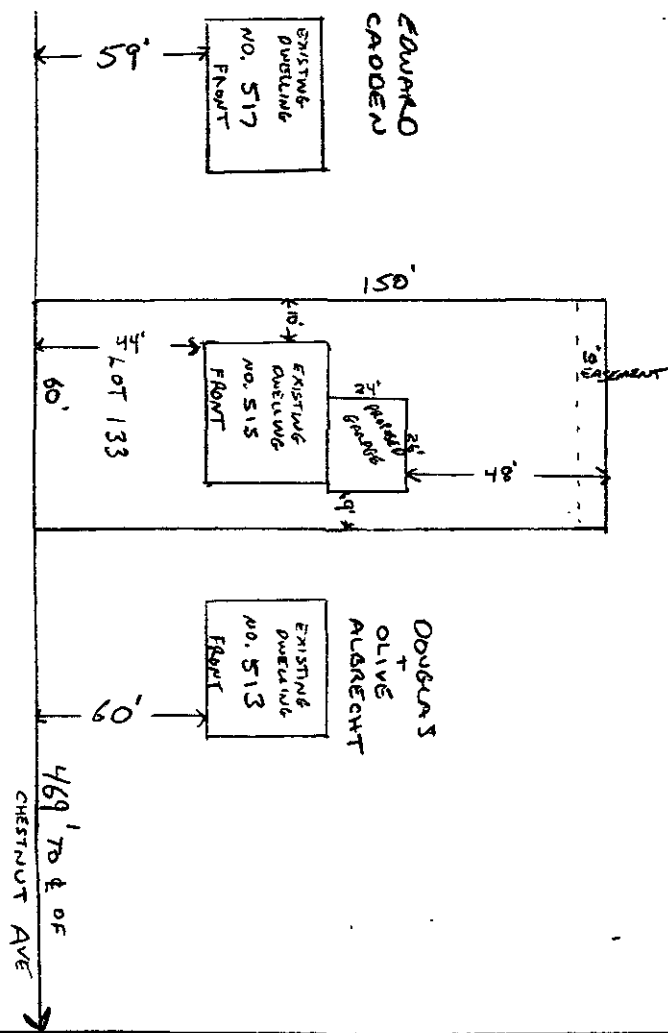
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

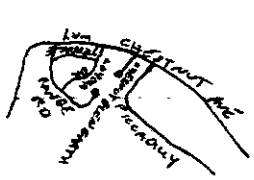
Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 515 PICCADILLY RD 21204
 Subdivision name: CHESTNUT HILL
 Plat book # 14, folio # 064, lot # 133, section # _____
 OWNER: ROBERT + RUTH YATES

see pages 5 & 6 of the CHECKLIST for additional required information



North
 date: 2-29-00
 prepared by: YVESBET DELAIR Scale of Drawing: 1" = 50'



Vicinity Map
 Scale: 1"=1000'

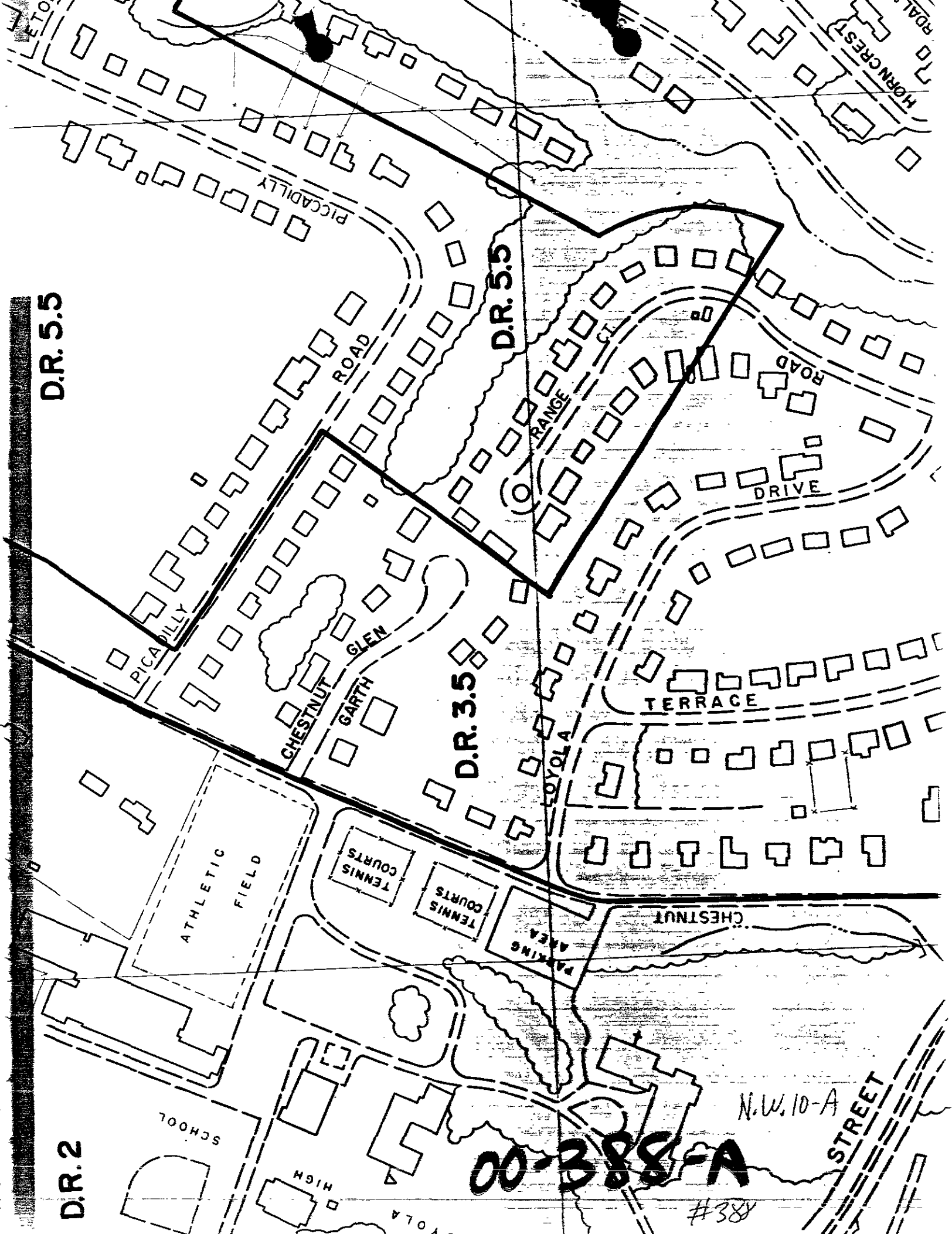
LOCATION INFORMATION

Election District: 9
 Councilmanic District: 5
 1"=200' scale map#: NW 10-A
 Zoning: DR 3.5
 Lot size: 0.20 9000
 acreage square feet

SEWER: public private
 WATER:
 Chesapeake Bay Critical Area:
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____
BR 388 00-388-A



D.R. 5.5

D.R. 5.5

D.R. 3.5

D.R. 2

PICCADILLY

ROAD

PICCADILLY

CHESTNUT

GARTH GLEN

RANGE

DRIVE

TERRACE

LOYOLA

ATHLETIC FIELD

TENNIS COURTS

TENNIS COURTS

PARKING AREA

CHESTNUT

SCHOOL

HIGH

LOYOLA

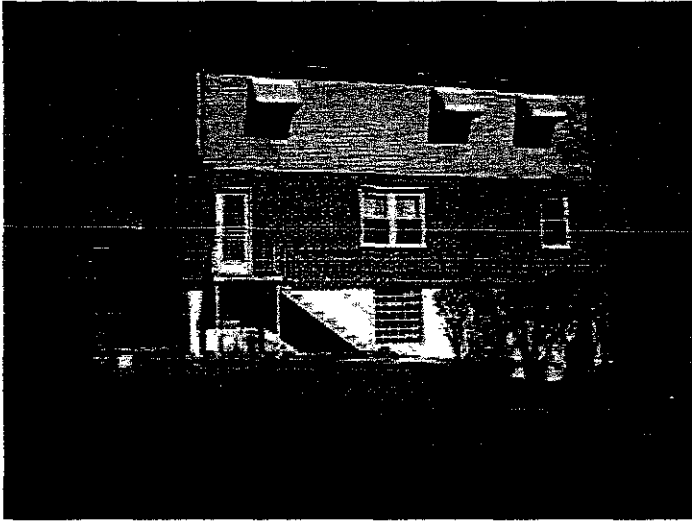
00-388-A

#388

N.W. 10-A

STREET

HORNCREST ROAD



00-388-A

388



85#

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP
00-388-A

SCALE	LOCATION	SHEET
1" = 200' ±	TOWSON	NW 10-A
DATE OF PHOTOGRAPHY		
JANUARY 1986		