CA SECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE E/S 48<sup>th</sup> Street, near intersection at German Hill Road 12th Election District

7th Councilmanic District (6919 German Hill Road)

George and Linda Weidner Petitioners ' BEFORE THE

DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 01-009-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, George and Linda Weidner. The variance request is for property located at 6919 German Hill Road in the North Point area of Baltimore County. The Petitioners herein seek a variance from Sections 400.1 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (swimming pool) to be located in the front yard and to have a 6 ft. high fence adjoining the front yard of another residence in lieu of the required rear yard and 42 inches respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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 Aday of August, 2000, that a variance from Sections 400.1 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (swimming pool) to be located in the front yard and to have a 6 ft. high fence adjoining the front yard of another residence in lieu of the required rear yard and 42 inches 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:raj





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

Fax: 410-887-3468

August 9, 2000

Mr. & Mrs. George Weidner 6919-B German Hill Road Baltimore, Maryland 21222

Re: Petition for Administrative Variance

Case No. 01-009-A

Property: 6919 German Hill Road

Dear Mr. & Mrs. Weidner:

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** 

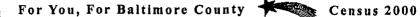
lunthy 16 traco

TMK:raj Enclosure

c: Mr. Brian Dietz 7867 Oakdale Avenue Baltimore, MD 21237

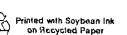














# Petrion for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	6919	GERMAN	HILL	RD
which	h is pres	ently zoned _	DR-55	

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legi	al
OWNER(S) OF the Droperty Situate in Baltimore County and which is described in the description and plat attached bareto an	d
made a part hereof, hereby petition for a Variance from Section(s) 400.1 427 B (BCZIZ)	

TO PERMIT AN ACCESSORY STRUCTURE (SWIMMING POOL) BE LOCATED IN THE FRONT YARD AND TO HAVE CO FOOT HIGH FENCE ADJOINING THE FRONT YARD OF AHOTHER RESIDENCE IN LIEU OF THE REQUIRED AHD AZ IHCHES RESPECTIVELY REAR YARD

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 affi perjury, that I/we are the legal ow is the subject of this Petition.	rm, under the ner(s) of the	e penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s):		
Name - Type or Print		George Weidner Name - Type or Print	<del></del>	
		Learge Wind	ur)	
Signature		Signature		
Address	Telephone No.	Linda Weidner Name - Type or Print		
City State	Zlp Code	Signature Neio	lxer	
Attorney For Petitioner:		6919-B German Hill	Road 410	1-284-2029 Telephone No.
		Baltimore	MD	21222
Name - Type or Print		City	MD State	Zip Code
Signature	***************************************	Representative to be Con-	tacted:	
		Brian Dietz		
Company		Name 7867 Oakdale Avenue	410	-686-1198
Address	Telephone No.	Address	710	Telephone No.
		Baltimore	MD	21237
City	Zip Code	. City	State	Zip Code
A Public Hearing having been formally demanded this day of that the regulations of Baltimore County and that the property be	ie subject matter of t	e required, it is ordered by the Zoning Co this petition be set for a public hearing, adve	mmissioner of ertised, as req	Baltimore County, uired by the zoning
		Zoning Commissioner of Ba	ıltimore Count	У
CASE NO. 01-009-1	A Re	viewed By CTM Dat	e 7/11	100
⊋ R8V9115198	Est	timated Posting Date	123/	00

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, a 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

 6919-B German Hill Road

 Address
 Baltimore
 MD
 21222

 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):

We own a small pan handle lot, 0.229 acres, which our house and driveway are situated on. The topography of the lot is such that the only usable portion of our property is immediately around the house. Please see the attached plat. We had an opportunity last year to purchase a portion of an adjoiner's property (0.175 acres), which we did through a special hearing for a non-density transfer case no. 99-490-sph. This non-

density transferred parcel is the herein petitioned property. We made this purchase for two reasons, one, we did not want anyone else to build there and obstruct our view, and two, so we could have a good piece of land that we could use for our enjoyment. You can see from the attached plat that there is no other option as to where we can erect a pool. We ask that the Zoning Commissioner approve our request to erect an above ground pool and a 6' high wood fence, to insure the security and privacy of the pool.

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

Name - Type or Print

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, GOUNTY OF BALTIMORE, to wit:

of Maryland, in and for the County aforesaid, personally appeared,

WeIDNeI

before me, a Notary Public of the State

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

Data Data

Notary Public

My Commission Expires Wt 1.20

REU 09/15/98

LARISSA D. WEBB
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 1, 2001

# fidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, a 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.

Baltimore

That the Affiant(s) does/do presently reside at

6919-B German Hill Road

21222 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):  We own a small pan handle lot, 0.229 acres, which our house and driveway are situated on. The topography of the lot is such that the only usable portion of our property is immediately around the house. Please see the attached plat. We had an opportunity last year to purchase a portion of an adjoiner's property (0.175 acres), which we did through a special hearing for a non-density transfer case no. 99-490-sph. This non-density transferred parcel is the herein petitioned property. We made this purchase for two reasons, one, we did not want anyone else to build there and obstruct our view, and two, so we could have a good piece of land that we could use for our enjoyment. You can see from the attached plat that there is no other option as to where we can erect a pool. We ask that the Zoning Commissioner approve our request to erect an above ground pool and a 6' high wood fence, to insure the security and privacy of the pool.	е
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.	k k
Leange Weeder Linda Weidne	
Signature  Signature  Signature  LINDA WEIDNER  Name - Type or Print	-
Name - Type or Print  Name - Type or Print  Name - Type or Print	-
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:	-
HEREBY CERTIFY, this day of,,,	3
George WelDNER AND LINDA WELDNER	
he Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of aw that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.	f
AS WITNESS my hand and Notarial Seal	
S/10/10 Saussa D. Steene	
Date Notary Public	
My Commission Expires <u>Ucf. 1.2001</u>	_
and the same of th	

REV 09/15/98

LARISSA D. WEBB NOTARY PUBLIC STATE OF MARYLAND My Commission Expires October 1, 2001



CASE NO. 01-009-4

REU 9/15/98

# Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	6919	GERMAN	HILL	RD
which	h is pres	sently zoned _	DR-55	

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) 400.1, 427.13 (B.C.Z.R.)

TO PERMIT AN ACCESORY STRUCTURE ( SWIMING POOL) TO BE LOCATED IN THE FRONT YARD AND TO HAVE A 6 FOOT HIGH FENCE ADJOINING THE FRONT YARD OF ANOTHER RESIDENCE IN LIEU OF THE REQUESTO REAR YARD AND 42 MANS 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 of is the subject of this Petition.	wilet(a) of the	a property willor
Contract Purchaser	r/Lessee:		Legal Owner(s):		
Name - Type or Print	-	**************************************	George Weidner Name-Type or Print	•	
Signature		787s <del>a a spilo ana que d'estre dos as</del>	Signature  Linda Weidner	drew	4
Address		Telephone No.	Name - Type or Print  Sanda Weid	(H (I + )	<del></del>
City	State	Zip Code	Signature		
Attorney For Petition	ner:		6919-B German Hill Address	Road 41	0-284-2029 Telephone No.
Name - Type or Print		<del></del>	Raltimore City	MD State	21222 Zip Code
Signature		<del></del>	Representative to be Co	ntacted:	
Company		**************************************	Name 7867 Oakdale Avenu	e 41	0-686-1198
Address	***************************************	Telephone No.	Address		Telephone No.
			Baltimore	MD	21237
City	State	Zip Code	City	State	Zip Code

Estimated Posting Date

Lorne T. Hastings
Dba HASTINGS SURVEYING
41 Eastship Road
Baltimore, Maryland 21222

May 23, 2000

#### Zoning description of 6919 German Hill Road

All that piece or parcel of ground lying in the 15th election district of Baltimore County, State of Maryland and described as follows;

Beginning for the same at a point on the Easternmost side of 48th Street (30 feet R/W) said point being Southerly 188 feet \* more or less measured along the Easternmost side of 48th Street from the center of German Hill Road\* (50' R/W); thence running and binding on said Easternmost side of 48th Street the two following bearing and distances viz; (1) North 34 degrees 13 minutes 22 seconds West 28.43 feet and (2) North 7 degrees 02 minutes 00 seconds East 64.62 feet; thence leaving said Easternmost side of 48th Street, (3) North 71 degrees 11 minutes 57 seconds East 78.70 feet, (4) North 07 degrees 02 minutes 00 seconds West 154.43 feet to intersect the South side of German Hill Road (50' R/W); thence running and binding on the South side of said German Hill Road (5) by a curve to the right, having a radius of 875.00 feet for an arc length of 12.00 feet; thence leaving the South side of said German Hill Road, (6) South 07 degrees 02 minutes 00 seconds East 170.61 feet, (7) North 82 degrees 58 minutes 00 seconds East 87.09 feet, (8) South 07 degrees 02 minutes 00 seconds East 75.55 feet, (9) South 77 degrees 45 minutes 00 seconds West 99.50 feet, and (10) South 77 degrees 45 minutes and 00 seconds East 64.32 feet to the place of beginning.

Containing 17,174 square feet of land or 0.394 Acres more or less.

This description satisfies zoning requirements only and is not intended for conveyance purposes.



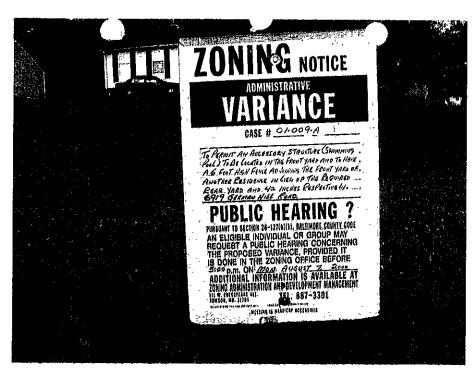
\* SOUTHEASTERLY

\* DELVALE

MISCELLANE	OUS RECEIPT	т No. 083614
DATE 7/11	<u>/00</u>	ACCOUNT_18001 6 150
		AMOUNT \$ 50,00
RECEIVED ROM:	CA	3 H
OR:	910	UNRANCE

01-00q.A

CASHIER'S VALIDATION



Posted at 6919 German Hill Road

#### **CERTIFICATE OF POSTING**

RE: CASE # 01-009-A
PETITIONER/DEVELOPER
(George Weldner)
DATE OF こんのシルの
(8-7-00)

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

6919 German Hill Road Baltimore, Maryland 21222		
THE SIGN(S) WERE POSTED ON	7-21-00	
	(MONTH, DAY,YEAR)	
	SINCERELY,	
	(SIGNATURE OF SIGN POSTER & DATE)	
	THOMAS P. OGLE SR	
	325 NICHOLSON ROAD	
	BALTIMORE, MARYLAND 21221	
	410-687-8405	

(TELEPHONE NUMBER)

# 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: 01-009-A  Petitioner: GEORGE WEINDNER
Address or Location: 6919 GERMAN HILL RD
PLEASE FORWARD ADVERTISING BILL TO:
Name: GEORGE WEINDNER
Address: 6919 GERMAN HILL RD
BALTO, MI) 2/222 .
Telephone Number: 4/0-234-2029

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## ADMINISTRATOR VE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 009 -A Address 6919 GERMA	NHILLRO
Contact Person: CIOYD T. MOX LEY Phone Nu	
Filing Date: $\frac{7/11/00}{100}$ Posting Date: $\frac{7/23/00}{100}$ Closi	ng Date: <u>8/7/00</u>
Any contact made with this office regarding the status of the administrative through the contact person (planner) using the case number.	variance should be
1. POSTING/COST: The petitioner must use one of the sign posters on the reverse side of this form) and the petitioner is responsible for all printing reposting must be done only by one of the sign posters on the approved is again responsible for all associated costs. The zoning notice sign make property on or before the posting date noted above. It should remain the date.	g/posting costs. Any list and the petitioner ust be visible on the
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner was formal request for a public hearing. Please understand that even request for a public hearing, the process is not complete on the closing date.	if there is no formal
ORDER: After the closing date, the file will be reviewed by the zoni commissioner. He may: (a) grant the requested relief; (b) deny the recorder that the matter be set in for a public hearing. You will receive (typically within 7 to 10 days of the closing date) as to whether the petition denied, or will go to public hearing. The order will be mailed to you by Fire	equested relief; or (c) re written notification on has been granted.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must general (whether due to a neighbor's formal request or by order of the zonic commissioner), notification will be forwarded to you. The sign on the changed giving notice of the hearing date, time and location. As when the posted, certification of this change and a photograph of the altered sign this office.	ne property must be ne sign was originally
(Detach Along Dotted Line)	
Petitioner: This Part of the Form is for the Sign Poster Only	
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT	
Case Number 01-009 -A Address 69/9 GERMAN	HILLRO
Posting Date: $\frac{7/23/00}{}$ Closing Date: $\frac{8/7}{}$	100
Wording for Sign: To Permit AN ACCESSORY STRUCTURE (Se	WIMMING POOL)
TO BE COCATED IN THE FRONT YARD AND TO	D HAVE A
G FOOT HIGH FENCE ADJOINING THE FRONT YA	120 OF
ANOTHER RESIDENCE IN LIEU OF THE REQUIRE REAR YARD AND 42 INCHES RESPECTIVELY.	EO
INCINC YARD AND 42 INCHES ICESPECTIVELY,	WCR - Revised 6/28/00

I HAVE RECEIVED POSTING INFO D.D.

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** August 29, 2000

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 31, 2000

Item Nos. 006, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, and

020

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

July 31, 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 July 24, 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.

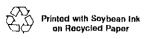
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

008, 009, 011, 012, 013, 018, 019, 017, and 020

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



### V

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley M5

DATE:

August 14, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of July 24, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
007	114 Dundalk Avenue
009.	6919 German Hill Road
011	9736 Silver Farm Road
013	814 Hatherleigh Road
018	2004 Stringtown Road
520	Glyndon Trace

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** July 27, 2000

Department of Permits and' Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 007 and 009

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC



JF (917 GERMAN HILL RD



CUBSERT PROPERTY



0 #1205 48th STREET



SUBJECT PROPERTY IN FOREGROUND #6919 TO THE REAR.

