ORDER REGENED FOR FILING
Date
By

IN RE: PETITION FOR ADMIN. VARIANCE
NW/S Michaelsford Road, 1500' E of the
c/l Katesford Road
(12324 Michaelsford Road)
8th Election District
3rd Council District

James Franzoni, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 01-030-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, James and Cynthia Franzoni. The Petitioners seek relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side property line setback of 35 feet in lieu of the required 50 feet for a proposed 20' x 25' two-story addition, and an amendment to the final development plan for Laurelford, Section 2, Lot 6 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed 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 variance 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.

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 ______ day of August, 2000 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side property line setback of 35 feet in lieu of the required 50 feet for a proposed 20' x 25' two-story addition and an amendment to the final development plan for Laurelford, Section 2, Lot 6 thereof, accordingly, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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

RDER RECEIVED FOR FILIN ate



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

August 18, 2000

Fax: 410-887-3468

Mr. & Mrs. James Franzoni 12324 Michaelsford Road Cockeysville, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE

NW/S Michaelsford Road, 1500' E of the c/l Katesford Road

(12324 Michaelsford Road)

8th Election District – 3rd Councilmanic District

James Franzoni, et ux - Petitioners

Case No. 00-188-SPH

Dear Mr. & Mrs. Franzoni:

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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: Ms

Ms. Robin Rubin

7400 York Road, Towson, Md. 21204

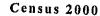
People's Counsel; Case File















Petition for Administrative Variance

to the 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) 1 A O A . 3 . B . Z CB. C. Z . (Z.)

ADDITION TO HAVE A PROPERTY LINE SETBACK OF 35 IN LIEU OF THE REQUIRED 50'. AND TO AMEND THE FIHAL DEVELOPMENT PLAK!

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 perjury, that I/we are the is the subject of this Peti	legal owner(s) of t	the penalties of he property which
Contract Purchase	er/Lessee:		Legal Owner(s):		
			James Franç	Doni	
Name - Type or Print			Name Type or Print		
Signature	· · · · · · · · · · · · · · · · · · ·		Stanatura Fra	uzoni	
Address		Telephone No.	Name Type or Privil	2 .	
City	State	Zip Code	Signature	conjeni	
Attorney For Petit	<u>ioner:</u>		12524 Michael	159510L KD	410 628 193
			COCKEUBVILLE	MD	Telephone No. 200ろ
Name - Type or Print			City	State	Zip Code
Signature Signature			Representative to b	e Contacted:	
ž	# · · · · · · · · · · · · · · · · · · ·		Kobin Rubi	<u>n</u>	
Company L		•	Name 7400 Vork R	D	337.7511
Address		Telephone No.	Address /	MD	Telephone No.
	State	Zip Code	City	State	Zip Code
A Public Hearing having	been formally demands	ed and/or found to be	required, it is ordered by the Z ris petition be set for a public hea	oning Commissioner	of Baltimore County,
edulations of Baltimore Co	unty and that the propert	y be reposted.	no pomoti do doi tot a pasilo tida	ring, warentood, do i	oquada by the coming
			Zonina Comminate	and of Baltimana Co.	
		4	_	oner of Baltimore Cou	
SASE NOC	01-030-	· · · · · · · · · · · · · · · · · · ·	lewed By CTM	_ Date	
220 9115198		Esti	mated Posting Date	7/30/00)

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	12324 Michaels	storal RD	
	Address COCKUFOVILL City	State	71030 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ring are the facts upon which or practical difficulty):	h I/we base the rec	quest for an Administrative
our family has enlarged find the need for	d over the past	few years	and we
find the need for	extra voom i	n our ho	ole.
The house is but	uated on the	2 10t So	that the
addition cannot	meet the	required	Setbook.
		U	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide ac	mal demand is filed, Affian dditional information.	t(s) will be require	d to pay a reposting and
Signature	Signature	Inthis	trage.
Name-Type or Print	Name - Type o	Cynthia F	ranzoni
STATE OF MARYLAND, COUNTY OF BALTIM	ORE, to wit:		
I HEREBY CERTIFY, this 17 day of 19 day of Maryland, in and for the County aforesaid, ped	sonally appeared 20	<u>مص</u> , before me, a	Notary Public of the State
the Affiant(s) herein, personally known or satisfalaw that the matters and facts hereinabove set for	actorily identified to me as s	uch Affiant(s), and e best of his/her/the	made oath in due form of eir knowledge and belief.
AS WITNESS my hand Wotarial			
AS WITNESS my hand and Notarial Story	Carly O. He	Ten.	
Date	Notary Public My Commission Ex	pires <u>04/01/03</u>	,
Date 17, 2 00 BALTIMORE COUNTY MARYLAND MARYLAND TARY PUBLISHIM		· •	,

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 100049 11101000 KI)
Cockers ville MD 21030
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):
Our family has enlarged over the past lew years and we
find the need for extra room in our home.
The house is situated on the lot so that the addution
counst meet the regured Setback.
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.
Centhin Francis
Signature Signature CANTAN FRANZON Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this day of,,,,
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 Notanial Budgetting
Date Date Column Carolin D. Hellens Notary Public
Date Date Notary Public My Commission Expires 04/01/03



CASE NO. 01-030-A

REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	12324	Micha	aelsford	RD
which	h is presently		RC 5	

20/00

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) 1AD4.3.B.Z (B.C.Z.R.)

TO PERMIT AN EXISTING SINGLE FAMILY A DWELLING WITH ADDITION TO HAVE A PROPERTY LINE SETBACK OF 35' IN LIEU OF THE REQUIRED 50'. AND TO AMEND THE FINAL DEVELOPMENT PLAN.

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 perjury, that I/we are the I is the subject of this Petiti	legal owner(s) of th	the penalties of se property which
Contract Purchase	er/Lessee:		Legal Owner(s):		
			Jamos Form	zovů	
Name - Type or Print			Name - Type or Print	,	
Signature			Signature The Street	anzou	
Address		Telephone No.	Name Type of Print		
City	State	Zip Code	Signature Manale	ansons	2/4/2000
Attorney For Petit	ioner:		CALOLY MICHAE	153 NO KD	410 628 193
			Coclevorile	'MD	Telephone No.
Name - Type or Print		, , , , , , , , , , , , , , , , , , , 	City	State	Zip Code
Clearture	,		Representative to b	e Contacted:	
Signature			Robin Rubin	1	
Company.	,	4	Name 7401) Unrk R	2D 410	227-7577
Address		Telephone No.	Address	- <u>v</u> ((0	Telephone No.
70.E.			TOUSOM	MD	2001
City	State	Zip Code	City	State	Zip Code
A Public Hearing having this day of regulations of Baltimore Co	. tr	at the subject matter of t	required, it is ordered by the Zonis petition be set for a public hear	oning Commissioner ring, advertised, as re	of Baltimore County, equired by the zoning
				-	
			Zonina Commissio	ner of Baltimore Cour	ntv

Reviewed By CTM7

Estimated Posting Date

ZONING DESCRIPTION

Zoning Description for 12324 Michaelsford Road. Beginning at a point on the NW side of Michaelsford Road which is 50 feet wide at the distance of 1500 feet east of the centerline of the nearest improved intersecting street, Katesford Road, which is 50 feet wide. Being Lot #6, Section 2 in the final Subdivision of Laurelford as recorded in Baltimore County Plat Book S.M. #58, Folio #111, containing 6.421 acres. Also known a 12324 Michaelsford Road and located in the 8th Election District, 3rd Councilmanic District.

CERTIFICATE OF POSTING

	RE: Case No.: 01-030-4
	Petitioner/Developer:
	FRANZONI
	Date of Hearing/Closing: 8/14/co
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 perjury that the necessary sign(s) required by law
were posted conspicuously on the property	· - · · · · · · · · · · · · · · · · · ·
	CHAELSFORD RD
The sign(s) was posted as	7/28/00
The sign(s) were posted on	(Month, Day, Year)
ASE# 01-030-A	
	Sincerely, Sincerely, (Signature of Sign Poster and Date)
ZONING NOTICE VARIAND PUBLIC HEARING ? THE PUBLIC HEARING ? THE PUBLIC HEARING ?	RICHAND E HOFF-HAN (Printed Name) 904 DELWOOD DR (Address) FALLSTOP, MO. 21047 (City, State, Zip Code) (410) 875-3122 (Telephone Number)
STED 7/28/00	

DAL HMORE COOK IT	DEPARTMENT	OF REKIMING AIM	D DEVELOPMEN	I MANAGEMEN
	Z	ONING REVIEW		

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01-030 -A Address 17374 WICHAELSFORD RD
Contact Person: CIOYO T. MOXLEY Phone Number: 410-887-3391
Filing Date: 7/20/00 Posting Date: 7/30/00 Closing Date: 8/14/00
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.
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 01-030 -A Address 12324 MICHAELSFORD RD
Petitioner's Name FRANZOHI Telephone 4/0 337 7577
Posting Date: 7/30/00 Closing Date: 8/14/00
Wording for Sign: To Permit An EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A PROPERTY LINE SETBACK OF
35' IN LIEU OF THE REQUIRED 50' AND TO AMEND
THE FINAL DEVELOPMENT PLAN.
WCR - Revised 6/28/00

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

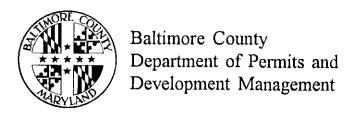
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: 01-030-A Petitioner: \tag{Wes} and \tag{UnHua Faurzoni}
Address or Location: 12324 MICHAELS FOXA RD Cockeys WINE MD 21030
PLEASE FORWARD ADVERTISING BILL TO:
Name: James and antho Franzou
Address: 12324 MIChaelsford RD
Cockeyantle, maryland 21030
Telephone Number: 40 628- 1938

Revised 2/20/98 - SCJ



Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 9, 2000

Mr. & Mrs. James Franzoni 12324 Michaelsford Road Cockeysville, MD 21030

Dear Mr. & Mrs. Franzoni:

RE: Case Number: 01-030-A, 12324 Michaelsford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 30, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:gdz

Enclosures

C: Robin Ruben, 7400 York Road, Towson, MD 21204 People's Counsel



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

August 8, 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 31, 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:

023, 026, 028, 030, 031, 032,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File



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

Date: 7.31.00

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

RE: **Baltimore County**

Item No. 030

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.rad.us).

Very traly yours,

1, J. Doell

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 31, 2000

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 00-550, 01-031, 6 and 028, 01-030, 01-

032, 01-036.

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

01-030-A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: August 17, 2000

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 7, 2000

Item Nos. 022, 023, 024, 026, 027, 028 030, 031, 032, 033, 034, 035, 036

and

00-550-A, Revised 7/14/2000

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

Ac/RBS

DATE:

September 11, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of July 31, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
024	7103 Milford Industrial Road
025	2900 Taylor Avenue
027	3825 Blenheim Road
028	700 Western Run Road
030	12324 Michaelsford Road
031	412 Bloomsbury Avenue
032	2306 Shaded Brook Drive
036	12040 & 12407 Falls Road
550 Revised	Phillips Purchase

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and'

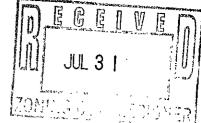
Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: July 31, 2000



SUBJECT:

Zoning Advisory Petition(s): Case(s) 00-550, 01-031, 6 and 028, 01-030, 01-

032, 01-036.

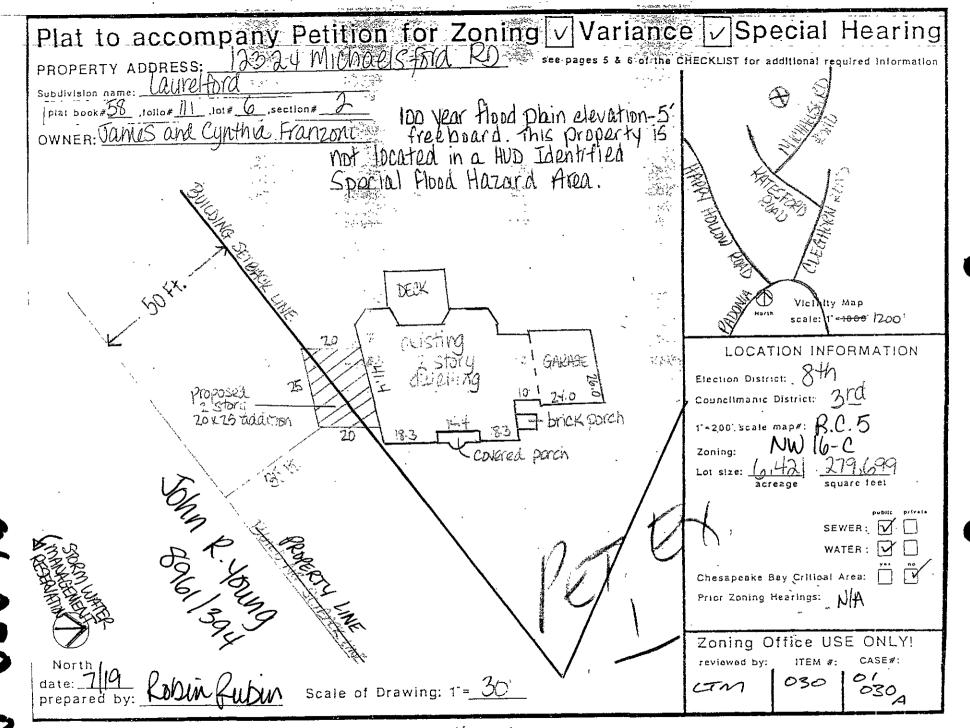
The Office of Planning has reviewed the above referenced case and has no comments to offer.

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:

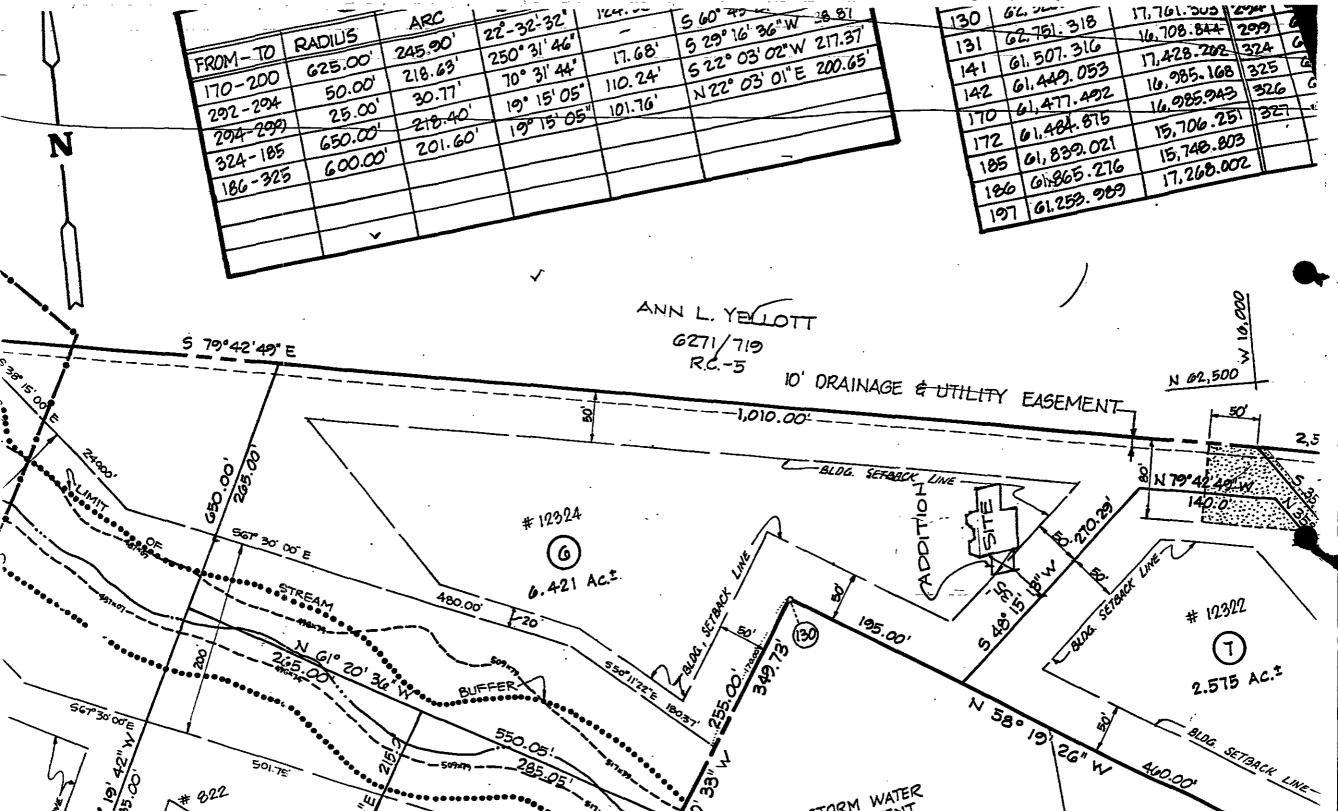
Section Chief:

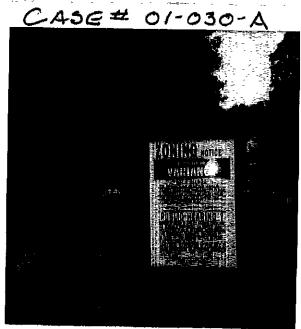
AFK/JL:MAC



-15-

There are no other existing dwellings within the scale of this map.





POSTED 7/28/00 12324 MICHAELSFORD RD. Ofshul ESTIL 7/28/00

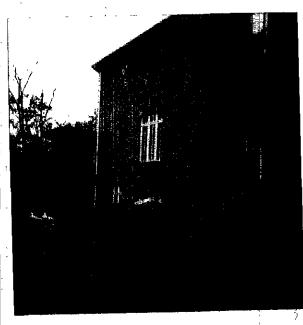
01-030-A



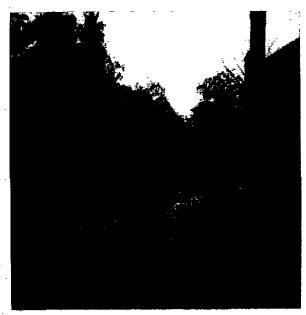
proposed extension site



view from back of home booking towards proposed extension sate.



Side of home proposed extension site



View from front of home looking towards proposed extension