POEP RECEIVED FOR FILING

IN RE: PETITION FOR VARIANCE
N/S Real Princess Lane, 230' W
centerline Featherbed Lane
2nd Election District

2nd Councilmanic District (6771 Real Princess Lane)

Jacqueline Jones Petitioner

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 01-038-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Jacqueline Jones. The variance request is for property located at 6771 Real Princess Lane, which property is zoned DR 5.5. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a swimming pool to be located in the side yard in lieu of the required rear yard.

Appearing at the hearing on behalf of the variance request were Jacqueline Jones, property owner and her fiancé, Michael Gregory. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.181 acres, more or less, zoned DR 5.5. The subject property is improved with a single family residential dwelling wherein the Petitioner has resided for the past 12 years. Over the past summer, she installed a swimming pool which is situated in the rear yard of her property and extends partially into the side yard of her property. As a result of the pool extending into the side yard, the variance request is necessary. Because of the topography of the property, the Petitioner had no choice but to situate the pool in the fashion shown on the site plan submitted. She was unaware that a variance was necessary until such time as the community

association brought it to her attention. As stated previously no one appeared in opposition to the Petitioner's request.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and her property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

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2

THEREFORE, IT IS ORDERED this Aday of September, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a swimming pool to be located in the side yard in lieu of the required rear yard, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





REU 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 677/ Real Princess Lane which is presently 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) 400.1 to permit an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard. of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The pool needs to be located on the scale of the property, because the rear yard slopes steeply from east to the west side and there are numerous boulders in the rear yard. 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): ACQUECINE Name - Type or Print Signature Address Telephone No. Name - Type or Print State Zip Code Signature CINCESS LANE 597-965
Telephone No. Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signature Company Name Address Telephone No. Address Telephone No. City State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 0/-038-A

Beginning at the point on the NORTH side of REAL PRINCESS LANE

Which is 50 FEET wide at the distance of 49.3 FEET NE of the centerline

Of the nearest improved intersecting street REGENT COURT which is

40 FEET wide. Being lot #15 in the subdivision of FEATHERBED as

Recorded in the Baltimore county plat book # 56, folio # 116, containing

8,087 SQ. FT. Also known as 6771 REAL PRINCESS LANE

And located in the 2 Election District, 2 Councilman District.

Period a 機能が必要 No. 083556 Rookers 3 () (1) 55.50 AMOUNT \$ ACCOUNT BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT RECEIVED FROM: FOR DATE

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WHITE - CASHIER

038-1

MOTICE OF ZORDING HEARING The Zoning Commissioner of Baffinore County, by authority of the Zoning Act and Regulations of Baffinore County will held a public hearing in Toysson, Maryland on the property identified herein as follows:

Case, 191, 1984.
Case, 191, 1984.
N.S. Real Princess Lane, 230; W of centerline Featherhold Lane Can Centerical Engine Bersin District 2nd Election District 2nd Councilmanic District Legal Owner(s): Jacqueline Legal Owner(s): Jacqueline

Variance: to permit an accessory structure. (swimming poot) to be foreited in the side yard. in fleu of the required rearyard. Felials. September 8, 2000 at 9:30 a.m. in Room 407, Caunty Courts Building, 401 Boskey Ave-

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County
National County
Handicapped Accessible: for
special accommodations
Please Contact the Zoning
Countsisoner & Office at
Countsisoner & Office at
County
C

CERTIFICATE OF PUBLICATION

TOWSON, MD, _

successive THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of weeks, the first publication appearing on _

THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

,]	Petitioner/Developer:
	Jacqueline Jones
I	Date of Hearing/Closing: <u>9-8-00</u>
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 the were posted conspicuously on the property located at	•
Baltimore, MD 21207	
, i	
The sign(s) were posted onAugust 16.2	000
(Month	n, Day, Year)
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RE: Case No.: 01-038-A

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DEFT, OF PYRAITS 1840 DEVELOPMENT MARKET LITTLE **RE: PETITION FOR VARIANCE** 6771 Real Princess Lane, N/S Real Princess Ln, 230' W of c/l Featherbed Ln 2nd Election District, 2nd Councilmanic

Legal Owner: Jacqueline Jones

Petitioner(s)

- BEFORE THE
- ZONING COMMISSIONER
- **FOR**
- **BALTIMORE COUNTY**
- Case No. 01-38-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

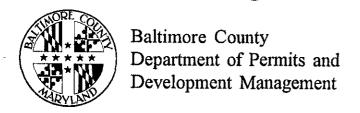
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of August, 2000 a copy of the foregoing Entry of Appearance was mailed to Jacqueline Jones, 6771 Real Princess Lane, Baltimore, MD 21207, Petitioner.

PETER MAX ZIMMERMAN



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

Fax: 410-887-5708

August 8, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-038-A
6771 Real Princess Lane
N/S Real Princess Lane, 230' W of centerline Featherbed Lane
2nd Election District — 2nd Councilmanic District
Legal Owner: Jacqueline Jones

<u>Variance</u> to permit an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard.

HEARING:

Friday, September 8, 2000 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

Director

C: Jacqueline Jones, 6771 Real Princess Lane, Baltimore 21207

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 24, 2000.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, August 24, 2000 Issue - Jeffersonian

Please forward billing to:

Jacqueline Jones

410-597-9659

6771 Real Princess lane Baltimore, MD 21207

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-038-A 6771 Real Princess Lane

N/S Real Princess Lane, 230' W of centerline Featherbed Lane 2nd Election District – 2nd Councilmanic District

Legal Owner: Jacqueline Jones

Variance to permit an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard.

HEARING:

Friday, September 8, 2000 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING. CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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.

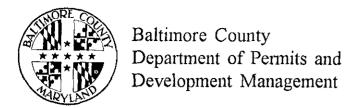
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Item Number or Case Number: O(- 038-A
Petitioner: _JACQUELINE JONES
Address or Location: 6771 REAL PRINCESS LAWE.
PLEASE FORWARD ADVERTISING BILL TO:
Name: _ JACQUELINE JONES
Address: 6771 REAL PRINCESS LANE.
Baltimore, MARYLAND 21207
Telephone Number: 410 - 597-9659

Revised 2/20/98 - SCJ





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

August 29, 2000

Jacqueline Jones 6771 Real Princess Lane Baltimore, MD 21207

Dear Ms. Jones:

RE: Case Number: 01-038-A, 6771 Real Princess Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 25, 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

W. Carl Richards, Jr.

WCR: gdz

Enclosures

C: People's Counsel



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

August 23, 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 AUGUST 7, 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:

037, 038, 039, 041, 042, 043, 044,

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 MRBS

DATE:

September 11, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of August 7, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
037	8617 Oakleigh Road
038	6771 Real Princess Lane
039	9001 Marcella Avenue
042	510 Maryland Avenue
043	512 Maryland Avenue
045	6605 Dogwood Road
005 Revised	7424 Longfield Drive

Sign

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 7, 2000

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

6771 Real Princess Lane

INFORMATION:

Item Number:

01-038

Petitioner:

Jacqueline Jones

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the request to permit a swimming pool to be located in the side yard in lieu of the required rear yard. The subject property is located in a Master Plan designated Community Conservation Area. This office has determined that locating a pool in the side yard of the subject lot would disrupt the character of the neighborhood and could interfere with the privacy of the adjoining property.

Prenared by:

Section Chief:

AFK:MAC

The Control of the Co

AUG - 8



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

Date:

8.4.00

RE:

Baltimore County

Item No. 038

720

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

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.vs).

Very truly yours,

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

J. J. Doelle

DATE	:	August 16, 2000	•			
TO:		W. Carl Richards, Jr. Zoning Review Supervisor	r !!	,	RESEN	1
FROM	i:	Rick Wisnom, Chief Division of Code Inspection	ons & Enfoi	rcement	ZONING	HEARING
SUBJE	ECT:	Legal Owner/Petitioner: J Contract Purchaser: N Property Address:	NA 6771 Real P	rincess Lane	8-17	
VIOL	ATION II		ase No.:	00-5505 Jacqueline D J	ones	
When hearing	the petiti	be advised that the aforeme on is scheduled for a public	-	•		
NAMI	Ξ			ADDRESS		
Patrici	a Barnha	rd		6800 Wind	sor Mill Rd., Bal	to., Md. 21207
the vio		tion, please find attached a se, for review by the Zonin	•			ocuments relative to
	1,	Complaint letter/memo/en	nail/fax (if a	applicable)		
\mathbf{x} \square	2.	Complaint Intake Form/C	•		report and notes	•
$\mathbf{x}\Box$	3.	State Tax Assessment printout				
	4.	State Tax Parcel Map (if applicable)				
	5.	MVA Registration printout (if applicable)				
	6.	Deed (if applicable)				
	7.	Lease-Residential or Commercial (if applicable)				
	8.	Photographs including dates taken				
x []	9.	Correction Notice/Code Violation Notice				
	10.	Citation and Proof of Service (if applicable)				
	11.	Certified Mail Receipt (if applicable)				
	12.	Final Order of the Code Official/Hearing Officer (if applicable)				
	13.	Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) Complete Chronology of Events, beginning with the first complaint through the				
	14.	Complete Chronology of Billing Notice/Property I			tirst complaint t	nrougn the
	15.	Other:	Jien Sheet (1	if applicable).		

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/co

C: Gary Hucik

Processing to the same of the	E EN	FORCEMENT REPO	No.	
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COMPLAINANT NAME:	atricia Barn	,		
ADDRESS:	6800 Windso	MilliBds	ZIP CODE	21207
PROBLEM:		ground in su		
OWNER/TENANT INFORMATION:				
TAX ACCOUNT #:			ZONING;	
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DATE: 07/18/2000 STANDARD ASSESSMENT INQUIRY (1)

TIME: 09:36:56

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JONES JACQUELINE D

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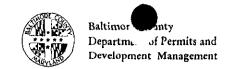
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IMPV:	68,590	66,750	TOTAL.,	96,520	38,600	38,600	
TOTL:	98,360	96,520	PREF	. 0	0	0	
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TA	XABLE BAS	IS	FM DATE				
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ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



Code Inspections and I County Office Buildir
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: Building Inspection: 410-887-3351+7282

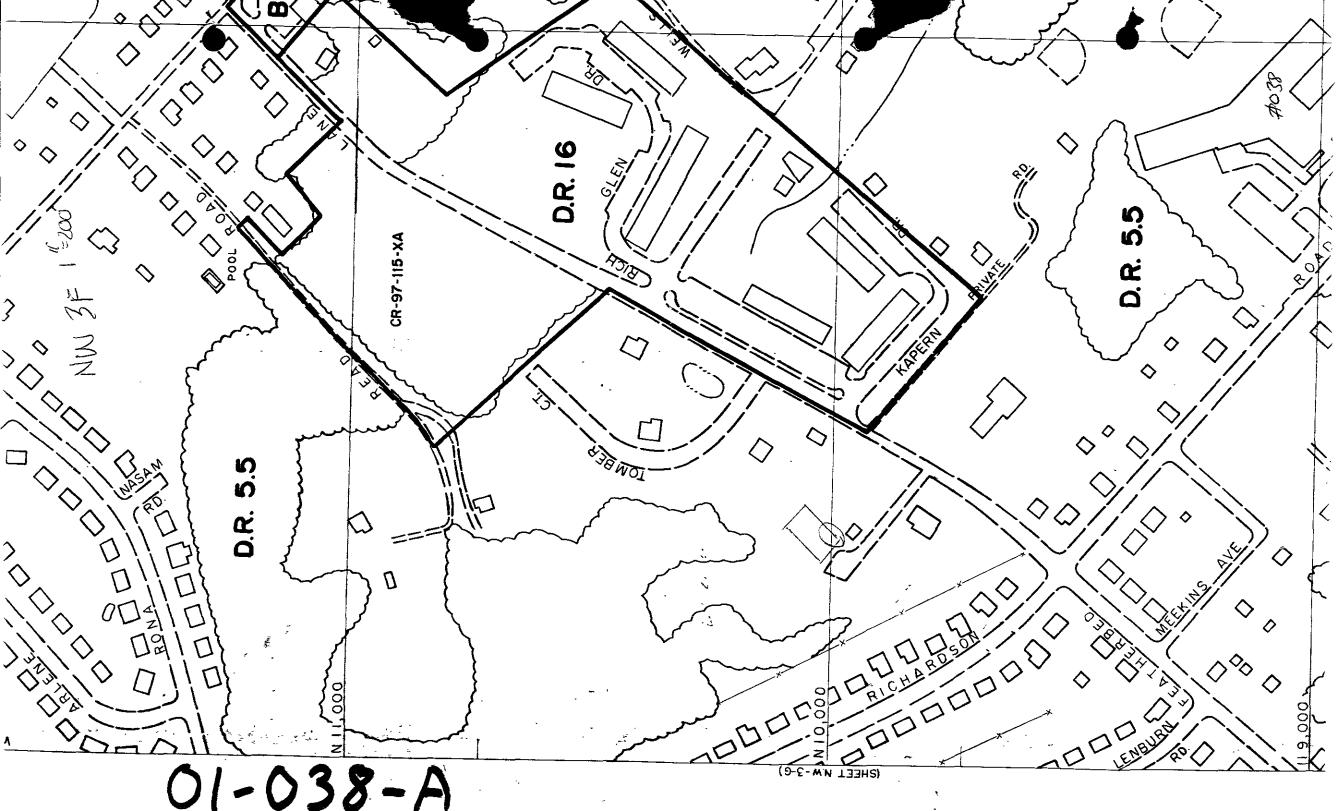
410-887-3953

Plumbing Inspection: Electrical Inspection: 410-887-3620 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case	No. 505	Property No.			Zoning:	
Name(s):	Jacq	jueline i	D Jon	හ		
Address:	6771 F	Real Price	ncess	LA Balt	more MI	21207
Violation Location:	SAN	15				
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					A.C	SENCY

Plat to accompany Petition for Zoning Variance	Special Hearing
PROPERTY ADDRESS: 6771 Real Princess Lane see pages 5 & 6 of the C	HECKLIST for additional required information
Subdivision name: Feather bel	
plat book# 50 ,tolio# 116 ,tot# 15 ,section#	1 2 2 2 1 20
OWNER: Jucqueline Jones	
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36773	1°=200 scale map#: N.W. 3 - F
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	Lot size: 0./81 8.087 acreage square feet
	public private
70× 1D 20.00 .008 228	SEWER: 🔀 🗌
# 6771	WATER: 📈 🗍
	Chesapeake Bay Critical Area: 🗍 📈
REAL PRINCESS LANE	Prior Zoning Hearings:
	Violation \$ 005505- Husack
North,	Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:
date: 7 25/60	
prepared by: J. Johes Scale of Drawing: 1"= 30"	BR 038 01-038-A





Baltimore County Zoning Commissioner Office of Planning Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204

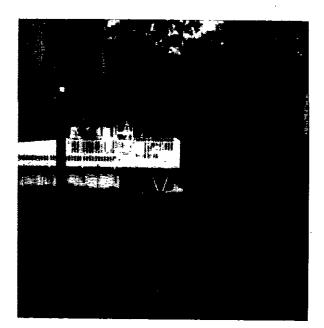
Photograps A Census 2000







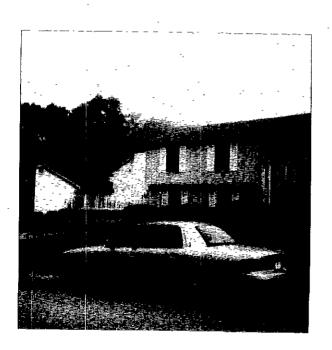
















Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

š(' '

Fax: 410-887-3468

September, 8, 2000

Ms. Jacqueline Jones 6771 Real Princess Lane Baltimore, Maryland 21207

> Re: Petition for Variance Case No. 01-038-A

> > Property: 6771 Real Princess Lane

Dear Ms. Jones:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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

TMK:raj Enclosure



