

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S of Western Run Road		
E of Cuba Road	*	DEPUTY ZONING COMMISSIONER
8th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(1727 Western Run Road)		
	*	CASE NO. 01-073-A
John MacColl & Cecile Pickford		
Petitioners	*	

* * * * *

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, John MacColl and Cecile Pickford. The variance request is for property located at 1727 Western Run Road in the northern area of Baltimore County. The Petitioners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow accessory structures with a maximum height of 21 ft. in lieu of the maximum allowable height of 15 ft. 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

ORDER RECEIVED FOR FILING

Date 9/13/00

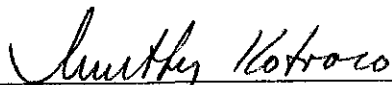
By: *[Signature]*

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 13th day of September, 2000, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow accessory structures with a maximum height of 21 ft. in lieu of the maximum allowable height of 15 ft, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The 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

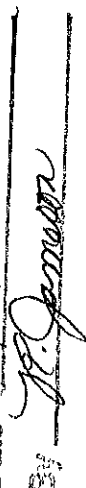
TMK:raj

ORDER RECEIVED FOR FILING

Date

9/13/00

By





Baltimore County
Zoning Commissioner

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

September 13, 2000

Mr. Jay Knipp
ILEX Construction & Development
1700 Union Avenue
Baltimore, Maryland 21211

Re: Petition for Administrative Variance
Case No. 01-073-A
Property: 1727 Western Run Road

Dear Mr. Knipp:

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

TMK:raj
Enclosure

c: Mr. John MacColl
Ms. Cecile Pickford
321 Golf Course Road
Owings Mills, MD 21117

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 1727 WESTERN RUN ROAD
which is presently zoned RC-2

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)

400.3 BCZR, to ALLOW ACCESSORY STRUCTURES WITH A MAXIMUM
HEIGHT OF 21'-0", IN LIEU OF THE MAXIMUM ALLOWABLE HEIGHT
OF 15'-0".

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):

JOHN MACCOLL
Name - Type or Print

John MacColl
Signature

CECIL PICKFORD
Name - Type or Print

Cecil Pickford
Signature

321 GOLF COURSE ROAD (410) 356-9447
Address Telephone No.

BOWINGS MILLS, MD 21117
City State Zip Code

Representative to be Contacted:

JAY KNIPP - ILEX CONSTRUCTION
Name 410 557-7893 (e)

1700 UNION AVE 410 243-6796 (d)
Address Telephone No.

BALTO MD. 21211
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 9/13/00 day of SEPTEMBER, 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. 01-073-A

Reviewed By [Signature] Date 8-15-00

Estimated Posting Date 8-27-00

REL 9/15/00

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 321 GOLF COURSE RD
Address
OWINGS MILLS MD 21117
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):

IN ORDER TO PROVIDE STORAGE FOR (3) CARS, THE OWNERS WOULD LIKE TO CONSTRUCT (2) GARAGE BUILDINGS IN THE REAR YARD, DESIGNED TO REFLECT "OLD" STONE MILL BUILDINGS. WITH 2'-0" HIGH STONE WALLS, THE PROPOSED 10:12 ROOF MATCHES THE EXISTING HOUSE. THE REAR CORNER OF THE 2-CAR GARAGE STRUCTURE IS INTENDED TO BE BURIED INTO EXISTING GRADE (± 4'-0").

IN ADDITION, IN ORDER TO ALLOW ADDITIONAL LIVING SPACE IN THE MAIN HOUSE, THE OWNERS WOULD LIKE TO RELOCATE A PERSONAL OFFICE SPACE AND A MUCH-USED EXERCISE AREA OUT OF THE MAIN HOUSE, TAKING ADVANTAGE OF WONDERFUL SITE VIEWS.

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.

Cecile Pickford
Signature
Cecile Pickford
Name - Type or Print

John MacColl
Signature
John MacColl
Name - Type or Print

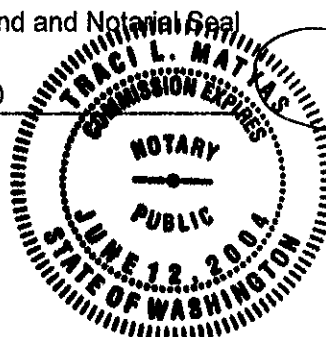
~~WASHINGTON~~ ~~WHATZON~~
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of August, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JOHN MACCOLL and CECILE PICKFORD
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

8.10.2000
Date



Traci Matyas
Notary Public TRACI MATYAS
My Commission Expires 6.12.2004

Zoning Description for:

1727 Western Run Road
Baltimore, Maryland 21030

Beginning approximately at the centerline of the right of way known as Western Run Road, the second 0.636 acre, driveway easement parcel S 81°31'03"E (20.01'); S 06°17'47"W (379.96'); S 05°33'27"W (148.58'); S 56°10'33"E (841.10'); S 21°28'33"E (20.47'), N 56°10'33"E (857.43'); N 05°33'27"E (160.66'); N 06°17'47"E (380.85') to the place of beginning.

The first 8.682 acre parcel begins at a northernmost point N 77°21'33"W (349.62'); N 10°56'30"E (488.59'); N 55°43'45"W (78.10'); N 57°30'00"W (64.00'); N 66°05'00"W (79.00'); N 89°56'00"W (94.00'); S 84°50'00"W (117.00'); S 43°30'00"W (43.00'); S 77°40'00"W (116.00'); S 04°49'30"E (135.00'); N 80°39'30"E (239.59'); S 05°49'28"W (180.82'); S 67°57'48"E (85.21'); S 21°28'33"W (222.75'); S 89°54'57"W (397.39') to the place of beginning.

The third 0.933 acre parcel begins at a point on the first parcel (infilling the southernmost corner of the first parcel) S 04°49'30"E (100.00'); N 57°08'31" (146.79'); N 33°30'00"E (173.00'); S 04°49'30"E (286.00'); N 80°39'30"E (237.59') to the place of beginning.

Being recorded among land records of Baltimore County in Liber T.B.S.# 14360 Folio # 21, these combined parcels of land containing +/- 10.251 acres of land, the driveway entrance is located approximately 1900 L.F. east from the nearest public intersection at Cuba Road and Western Run Road.

The improvements thereon being known as 1727 Western Run Road, in the Councilman District #8, and the Election District #3.

01-073-A

073

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

01-073-A
05254

DATE 1-10-00 ACCOUNT R-601-6150

AMOUNT \$ 50.00

RECEIVED FROM: John Knapp

FOR: Residential Variance 1174 Ave
63 1727 Western Road Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

DATE 1/10/00

BY 0002 CASHIER AND DR 0002

DEPT 5 500 ZONING VERIFICATION

RECEIVED BY 100100

DATE 01/10/00

PAID TO

50.00

BALTIMORE COUNTY, MARYLAND

01-073-A

CERTIFICATE OF POSTING

ADMIN.

RE Case No.: 01-073-A

Petitioner/Developer: PMK ARCHITECTS ETAL

Date of Hearing/Closing: 9/11/00

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 located at #1727-Western Run Rd.

The sign(s) were posted on 8/26/00
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 8/27/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



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: 01-073-A

Petitioner: JOHN MACCULL / CELILE ALKARD

Address or Location: 1727 WESTERN RUN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAY KNIPP, ILEX CONSTRUCTION & DEVELOPMENT

Address: 1700 UNION AVE

BALTIMORE, MD 21211

Telephone Number: (410) 243-6796

Revised 2/20/98 - SCJ

01-073-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 01- 073 -AAddress 1727 Western Run RdContact Person: John Sullivan
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 8-15-00Posting Date: 8-27-00Closing Date: 9-11-00

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 01- 073 -AAddress 1727 Western Run Rd.Petitioner's Name J. Maccoll and C. Pickford Telephone (410) 356-9447Posting Date: 8-27-00Closing Date: 9-11-00Wording for Sign: To Permit an accessory structure (detached garage)
with a height of 21 ft. in lieu of the maximum permitted
15 ft.

WCR - Revised 6/28/00



Baltimore County
Department of Permits and
Development Management

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

September 11, 2000

Jay Knipp
ILEX Construction & Development
1700 Union Avenue
Baltimore, MD 21211

Dear Mr. Knipp:

RE: Case Number: 01-073-A, 1727 Western Run Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 15, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
C.D.Z.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

C: John MacColl, & Cecile Pickford, 321 Golf Course Road, Owings Mills 21117
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 3, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 18, 2000
Item Nos. 070, 071, 072, 073, 075, 078,
079, 081, 082, 085, 086, 087, 088, 089,
090, 091, 092, 093, 094, 095, 097, 098,
100, 101, 103, and 104

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

RWB:HJO:jrb

cc: File



September 19, 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 September 11, 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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS REGARDING THE FOLLOWING:

ITEM #'S 070, 071, 072, 073, 074, 075, 079, 080, 081, 082, 083,
084, 085, 086, 087, 088, 089, 092, 093, 094, 095, 097,
098, 099, 100, 101, 102, 103, AND 104

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

cc: File

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

AN
9/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 11, 2000

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

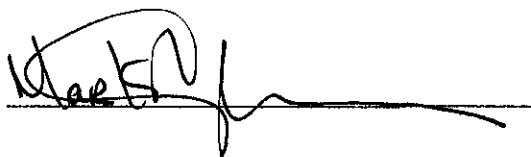
SEP 12

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-073, 01-074, 01-075, 01-082, 01-087,
and 01-103.

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



**Maryland Department of Transportation
State Highway Administration**

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

Date: 10.2.00

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

RE: Baltimore County
Item No. 073 JJS

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).

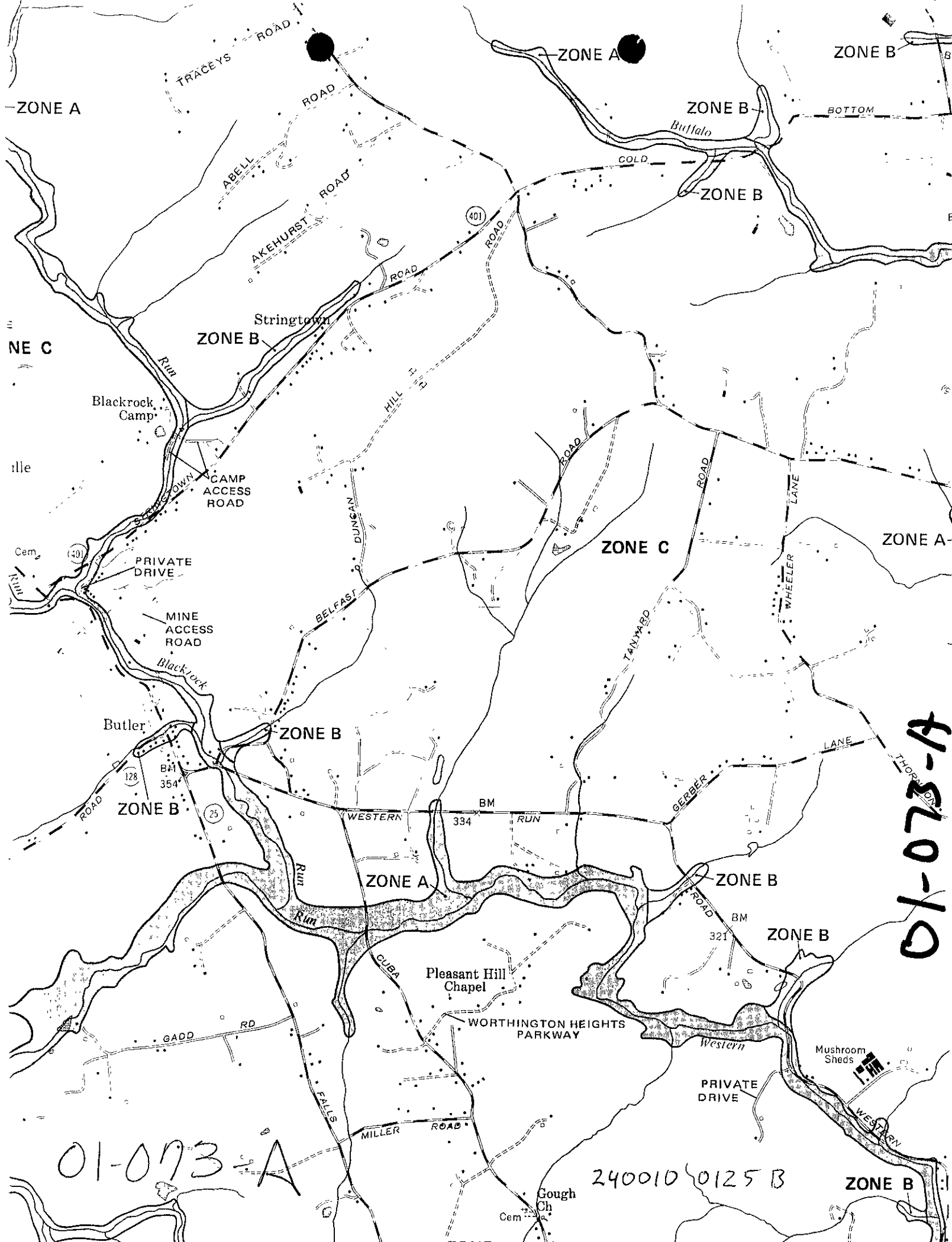
Very truly yours,

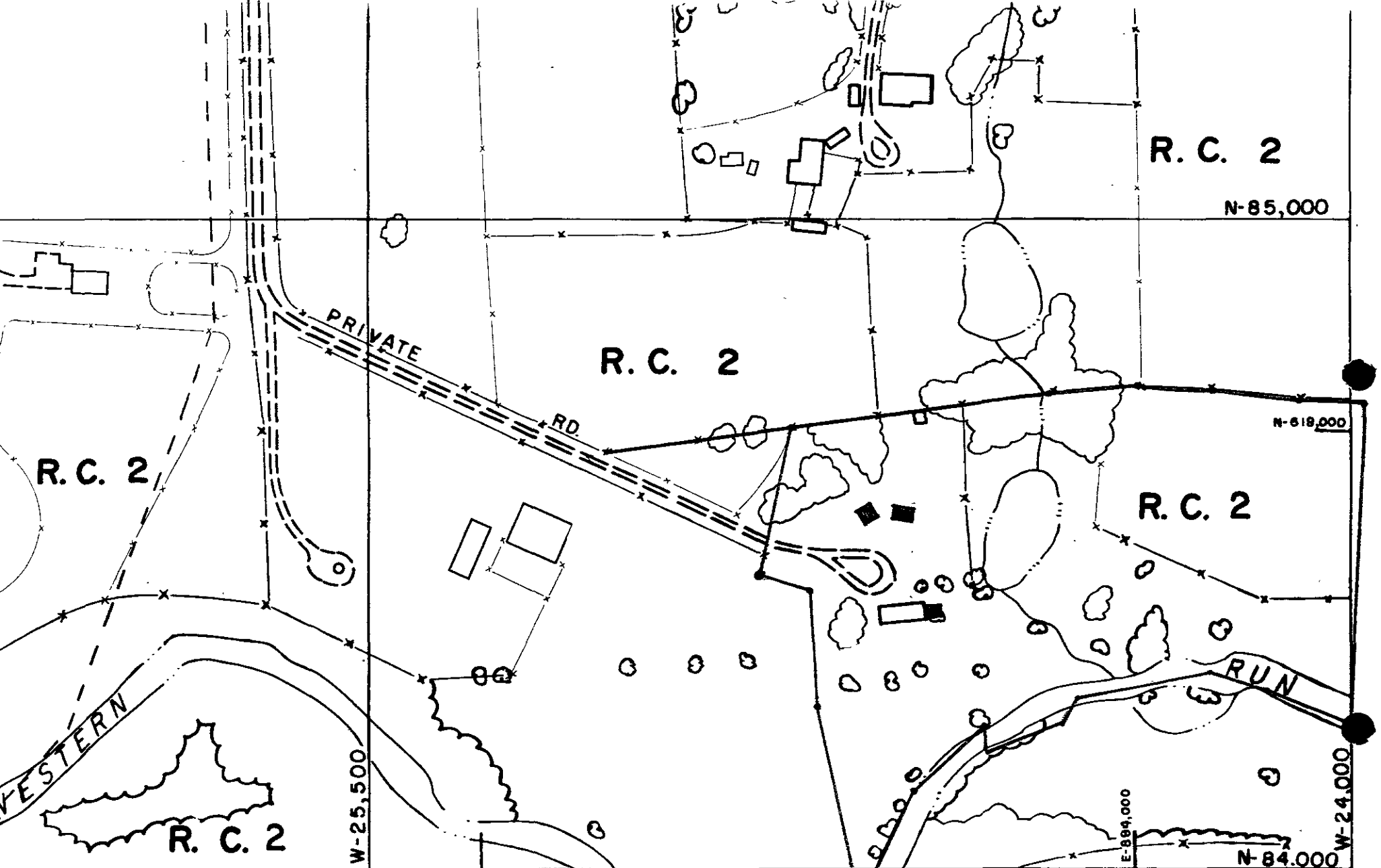
for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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





SCALE

1" = 200' ±

DATE

OF
PHOTOGRAPHY

JANUARY

LOCATION

EAST OF

BUTLER

SHEET

N. W.

22-E

023
01-073-A

LOCATION OF
PROPOSED
GARAGE BUILDINGS

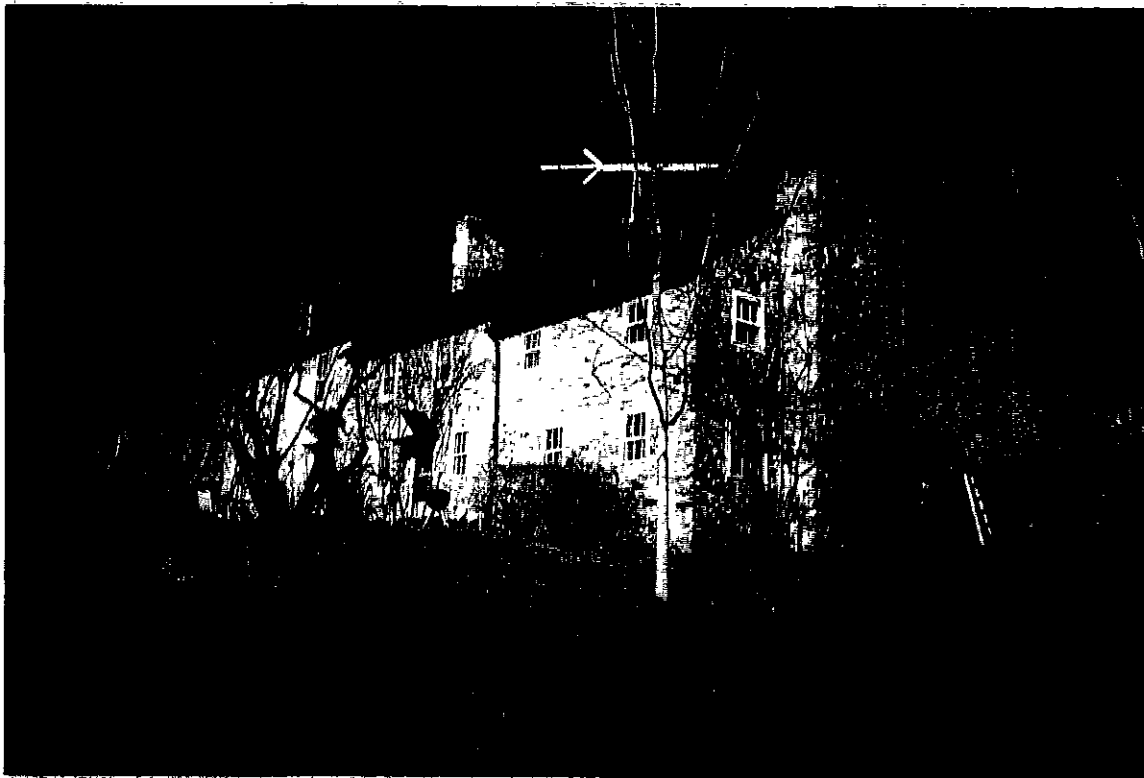


REAR YARD

1727 WESTERN RUN ROAD
BALTIMORE, MD. 21030

01-073-A

073



LOCATION OF PROPOSED
GARAGE BUILDINGS
(BEYOND VIEW)



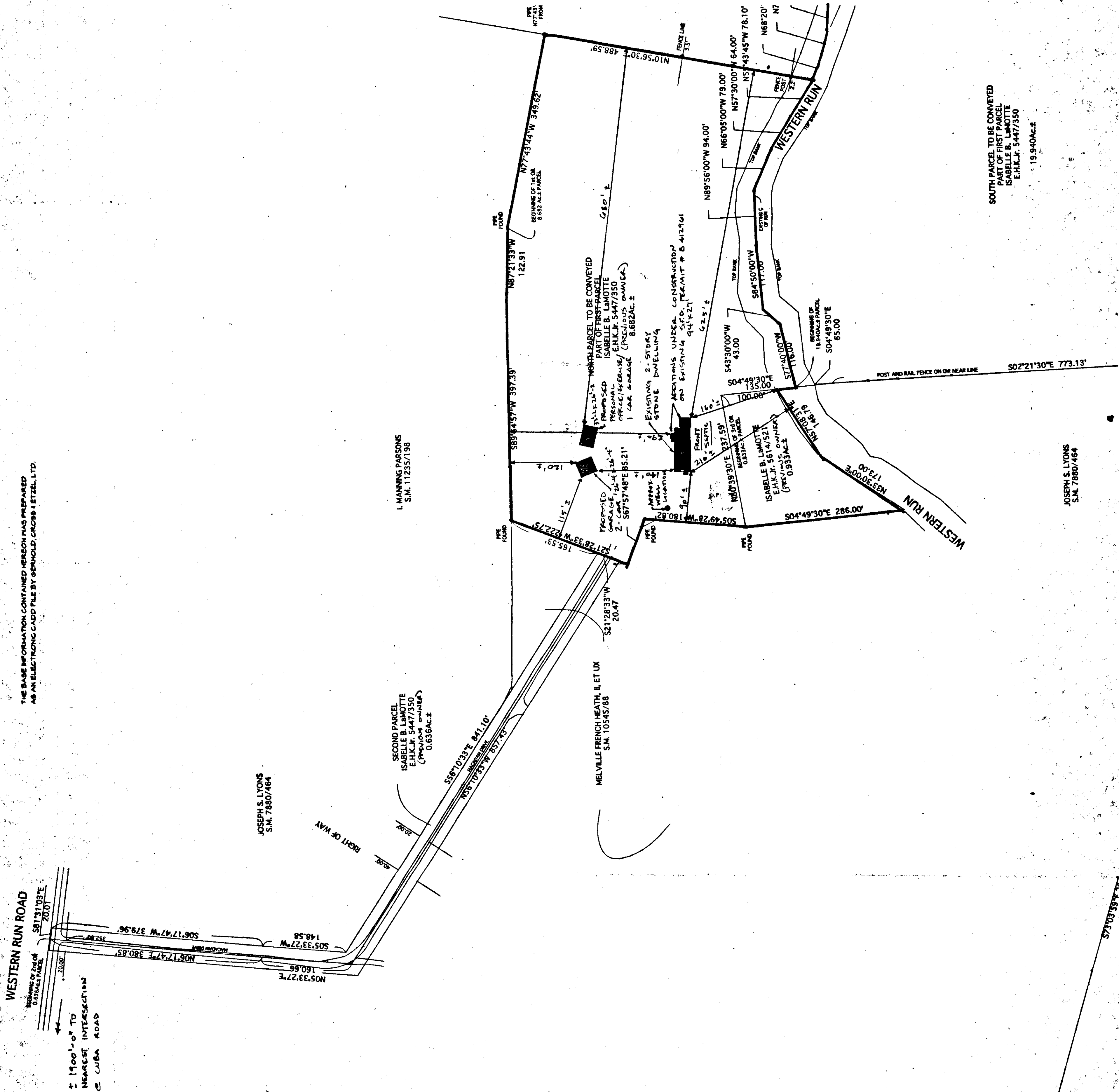
FRONT YARD

1727 WESTERN RUN ROAD
BALTIMORE, MD 21030

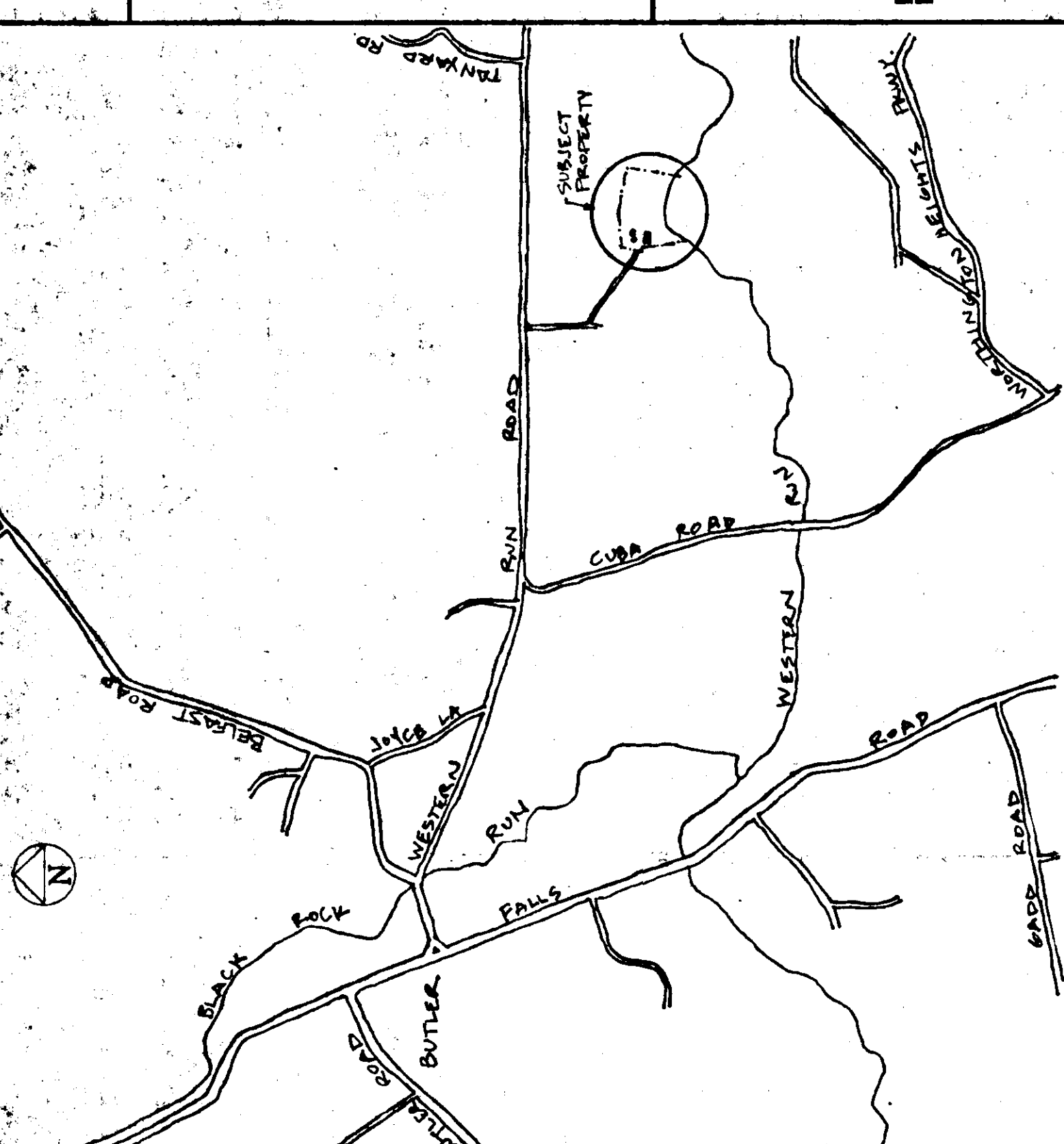
01-073-A

073

SITE PLAN SITE MAP : Scale 1" = 100'-0"



VICINITY MAP 1" = 1000'-0"



LOCATION INFORMATION

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

OWNER: MR. JOHN MACCOLL
MS. CECILE PICKFORD
PROJECT ADDRESS: 1727 WESTERN RUN ROAD
BALTIMORE, MARYLAND 21030
ZONING: RC-2
ZONING MAP (1"=300' SCALE) N/A 22-E
LAND RECORDS: RECORDED AMONG LAND RECORDS
OF BALTIMORE COUNTY, MARYLAND
IN LIBER NO. 1934, FOLIO 21
PROPERTY SIZE: 10.251 +/- ACRES; 446,599.56 S.F. +/-
COUNCILMAN DISTRICT: DISTRICT #6
ELECTION DISTRICT: DISTRICT #9
WATER & SEWER: PRIVATE
CHESAPEAKE BAY CRITICAL AREA: NOT APPLICABLE
PRIOR ZONING HEARINGS: NONE

ZONING OFFICE USE ONLY

ZONING VARIANCE PLAT PLAN	
B/A/00	ADMINISTRATIVE VARIANCE

MACCOLL / PICKFORD RESIDENCE
1727 WESTERN RUN ROAD
BALTIMORE, MARYLAND 21030

PENZA ASSOCIATES
ARCHITECTS, INC.
401 WOODBINE AVENUE
BALTIMORE, MARYLAND 21212
(410) 435-6677 FAX (410) 435-6668
URL: www.penza.com B-Mail: penza@penza.com

PREPARED BY:
LIT
PENZA ASSOCIATES ARCHITECTS, INC.

073

01-073-A

073

ON A PLAT BY ALBERT E. POMER
MAGNETIC MERIDIAN OF 1849, SHOWN



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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

OUTLINED PROPERTY:
1724 WESTERN PARK RD
COCKEYSVILLE MD
21030

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY JANUARY 1986	EAST OF BUTLER	N W 22-E

01-073-A

Microfilm
073