IN RE: PETITION FOR ADMIN. VARIANCE

W/S Green road, 2100' NE

Sweet Air Road

10th Election District

6th Councilmanic District

(14400 Green Road)

Gregory and Christine Nielson

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-142-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, Gregory and Christine Nielson. The variance request is for property located at 14400 Green Road in the Baldwin area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory building (garage) to be located in the side yard in lieu of the required rear yard. 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

THE SECENTIAL FOR THIS

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 day of October, 2000, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory building (garage) to be located in the side yard in lieu of the required rear yard., 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! KOTROCC

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:rai





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

Fax: 410-887-3468

October 25, 2000

Mr. & Mrs. Gregory J. Nielson 14400 Green Road Baldwin, Maryland 21013

Re: Petition for Administrative Variance

Case No. 01-142-A

Property: 14400 Green Road

Dear Mr. & Mrs. Nielson:

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, Suntly Kotroeo

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure













Petition for Administrative Variance

	fo (me Zoning	Commissioner (oi Baltimo	re County
		for the property	y located at <u>14400</u>	Green R	oad
			which is present		
This Petition shall be filed owner(s) of the property situa made a part hereof, hereby p	with the De ite in Baltime etition for a	partment of Permi ore County and which Variance from Secti	its and Development Man ch is described in the described on(s) 400.1 (RC2R)	agement. The upper iption and plat att	indersigned, legal ached hereto and
to permit an access the required rea	sory bui r yard.	lding (garage) to be located in	the side yo	ard in lieu o
of the zoning regulations of B of this petition form. Property is to be posted and a	advertised a	s prescribed by the	Zonìna regulations		
l, or we, agree to pay expenses regulations and restrictions of Ba	ot above vari altimore Coun	ance, advertising, po: ity adopted pursuant t	sting, etc. and further agree to the zoning law for Baltimore	o and are to be bou • County.	nded by the zoning
			I/We do solemnly declare perjury, that I/we are the is the subject of this Peti	e and affirm, under legal owner(s) of the	the penalties of ne property which
Contract Purchaser/Less	00:		Legal Owner(s):	•	
			Gregory	J. Nielson	
Name - Type or Print			Name - Type or Print	7.0	
Signature		6	Signature	- /m/	
,		ı	Christine	S. Nielson	•
Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Name - You or Print	1	
Dity	State	Zip Code	etgnature, etgnature,		410-962-8111
Attorney For Petitioner:			14400 G	reen Road	410-592-6104
***************************************	•		Address		Telephone No.
lame - Type or Print		······································	<u>Baldwin</u>	MD	21013
			•	State	Zip Code
Signature		<u> </u>	Representative to t	e Contacted:	
ompany			Name		
dd ess		Telephone No.	Address		Telephone No.
ity c	State	Zip Code	City	State	Zip Code
Public Hearing having been form			required, it is ordered by the Z is petition be set for a public hea	oning Commissioner	of Baltimore County.
gulations of Baltimore County and t	hat the propert	y be reposted	ing begging be set tot a habite ues	iing, auvertiseu, as n	equired by the zoning
XX .					
12/6			Zoning Commission	ner of Baltimore Cou	nty
ASE NO. OL	142-A	Davi	ewed By JNP	Date 91	27/00
on aus as					4/100
Q 1112178		Esti	mated Posting Date	0/8/5000	

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

REV 09/15/98

14400 Green Road
Address
Baldwin M

That based upon personal knowledge, the folio Variance at the above address (indicate hardshi	wing are the facts upon which I/we base the request for an Administrative ip or practical difficulty):
construction of the proposed a end of the driveway and hous behind the house would place	wer lines and proximity of the property line make 2-car garage impossible in any other location near the e. Extending the driveway and constructing the garage the garage much closer to and in full view of Green practical due to the severe ground slope on that portion
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
Signature Gregory J. Nielson	Signature Christine S. Nielson
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTII I HEREBY CERTIFY, this 2 day of of Maryland, in and for the County aforesaid, per the Affiant(s) herein personally known or satisfacts hereinabove set	
AS WITNESS my hand and Notarial Seal	-
9/27/00 Date	Marie B. Felane Notary Public
	My Commission Expires 5-01-02

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.

21013

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

		City	State	Zip Code
That based u Variance at th	ipon personal knowledg ne above address (indica	e, the following are the fact ate hardship or practical diffi	s upon which I/we base (iculty):	the request for an Administrative
	construction of the pend of the driveway behind the house we	rhead power lines and pr proposed 2-car garage im and house. Extending th ould place the garage mu nomically practical due to	possible in any other l he driveway and constr ch closer to and in full	ocation near the ucting the garage view of Green
That the Affi advertising fe	iant(s) acknowledge(s) ee and may be required	that if a formal demand is to provide additional informa	filed, Affiant(s) will be a	required to pay a reposting and
Signature Gregor Name - Type or	y J. Nielso	1	Christine Name - Type or Print	S. Nielson
i HEREBY C of Maryland,	ERTIFY, this 97 days and for the County af regary 4	of BALTIMORE, to wit: ay of Sept. oresaid, personally appeare Christine	Relson	me, a Notary Public of the State
the Affiant(s) law that the r	hergin, personally kno- matters and facts herein	wn or satisfactorily identifier above set forth are true and	d to me as such Affiant(s correct to the best of his	s), and made oath in due form o' /her/their knowledge and belief.
9/	S my hand and Notarial		Marie 13.	Lelane
Date /	/	Notary My Co	Public	5-01-02



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	•
for the	e property located at 14400 Green Road
	which is presently zoned
made a part horself hereby matter a few a Marie	nt of Permits and Development Management. The undersigned, legal ity and which is described in the description and plat attached hereto and from Section(s) 400.1 (BCZR) rage) to be located in the side yard in lieu of
Property is to be posted and advertised as prescrib	he zoning law of Baltimore County, for the reasons indicated on the back
regulations and restrictions of Baltimore County adopted	vertising, posting, etc. and further agree to and are to be bounded by the zoning of 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):
Name - Type or Print	Gregory J. Nielson
Trains Type of Child	Name - Type de/Print/
Signature	Signature
Address Telepho	one No. Name - Type or Print S. Nielson
City State Zi	ip Code Signature 410-962-8/11 (4
Attorney For Petitioner:	14400 Green Road 410-592-6104
A Section of the sect	Address Telephone No.
Name - Type or Print	Baldwin MD 21013 City State Zip Code
Signature	Representative to be Contacted:
Company	Name
Address A Telephor	ne No. Address Telephone No.
City State Zig	p Code City State Zip Code
A Public Hearing having been formally demanded and/or this day of that the subject regulations of Baltimore County and that the property be reposted	
CASE NO. 01-142-A	Zoning Commissioner of Baltimore County Reviewed By $\frac{JNP}{Date} = \frac{9/27/00}{2}$
REV 915198	Estimated Posting Date 10/8/2000

ZONING DESCRIPTION FOR 14400 Green Road (address)
(address)
Beginning at a point on the
(Horar, south, east or west)
name of street Mad which is
name of street on which property fronts) (north, south, east or west) which is (number of feet of right-of-way width)
wide at the distance of 2/00 NE of the (number of feet) (north, south, east or west)
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Sweet Air
(name of street)
which is (name of street) wide. *Being Lot #,
Block,Section # in the subdivision of Green - Green
(name of subdivision)
as recorded in Baltimore County Plat Book # 38 , Folio # 56
containing 3,567 Acres. Also known as 14400 Green Road (property address)
and located in the 10 Election District, 6 Councilmanic District.

BALTIMORE COUNTY, MARYLANT OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	୍ଟେ ଟ	TO BOTTET THE BLAIN WE PAIGN RINK WE WESTER OFFICE MORE
DATE $\frac{3\sqrt{37/30}}{\sqrt{30}}$ ACCOUNT $\frac{2\sqrt{3}}{\sqrt{3}}$	E.1-6150	<u> </u>	HA SEA CHARLES MADE (COMMENTAL COMMENTAL COMME
RECEIVED (FOR	50.00		OF ST. ARVES FROM THE LOCAL FROM THE TOTAL THE ST. T
OR: 14430 GIFFER ROOD 1	(0-142-4)	·	01-142-4
ISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTO	MCD		CASHIER'S VALIDATION

CERTIFICATE POSTING

POSTED 10/0/00 Thelist E IM 10/0/00

	RE: Case No.: 01-142-A
	Petitioner/Developer:
	GREGORY of LURISTINE NIELSON
	Date of Hearing/Closing: 10/23/2000
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 were posted conspicuously on the property	f perjury that the necessary sign(s) required by law
14400 GREE	
The sign(s) were posted on	10/8/00
	(Month, Day, Year)
SE # 01-142-A	Sincerely,
	(Signature of Sign Poster and Date)
	RICHARD & HOFFMANL (Printed Name)
	904 DELLWOOD DR (Address)
· · · · · · · · · · · · · · · · · · ·	(City, State, Zip Code)
	(410) 879 · 3 (22) (Telephone Number)
too GREEN RD	

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: 01-142-A
Petitioner: Gregory & Christine Nielson Address or Location: 14400 Green Road
Address or Location: 14400 Green Road
PLEASE FORWARD ADVERTISING BILL TO:
Name: Gra Nielson
Address: 17400 Green Road
Baldwin MD 21013
Telephone Number: 410-962-8111 (w)
592-6104 (h)

Revised 2/20/98 - SCJ

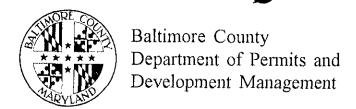
01-142-A

-16・ #142 ZONING REVIEW ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 142 -A Address 14400 Green Road
Contact Person: Jeffrey Perlow Phone Number: 410-887-339
Contact Person: $9/27/00$ Posting Date: $10/8/00$ Closing Date: $10/23/00$
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. An 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. <u>DEADLINE</u> : 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- 142 -A Address 14400 Green Road
Petitioner's Name Gregory & Christine Nielson Telephone 410-592-6104(H
Posting Date: $\frac{10/8/2000}{23/2000}$ Closing Date: $\frac{10/23/2000}{2000}$
Vording for Sign: To Permit an accessory building (garage) to be Incated in the
side yard in lieu of the required rear yard.

WCR - Revised 6/28/00



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

October 23, 2000

Christine S. & Gregory J. Nielson 14400 Green Road Baldwin, MD 21013

Dear Mr. & Mrs. Gregory J. Nielson:

RE: Case Number: 01-142-A, 14400 Green Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 27, 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, In.

WCR: gdz

Enclosures

C: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 9, 2000

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For October 16, 2000

Item Nos. 118, 136, 137, 138, 140, 141,

142, 143, 144, and 145

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

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

October 12, 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 OCTOBER 10, 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:

118, 137, 140, 141, 142, 144, 145, 146, 147,

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 Mb

DATE:

October 19, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of October 10, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
118	9616 Reisterstown Road
136	1501 Francke Avenue
137	7659 Old Battle Grove Road
138	6300 Baltimore National Pike
139	8335 Philadelphia Road
140	1401 Broadway Road
141	15 Bright Sky Court
142	14400 Green Road
144	8204 Anita Road
145	404 Kauffman Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 13, 2000

Department of Permits and' Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-132, 01-133, 01-142 and 01-144.

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



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

Date: 10.11.00

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

RE: Baltimore County

Item No. 142 JNP

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.

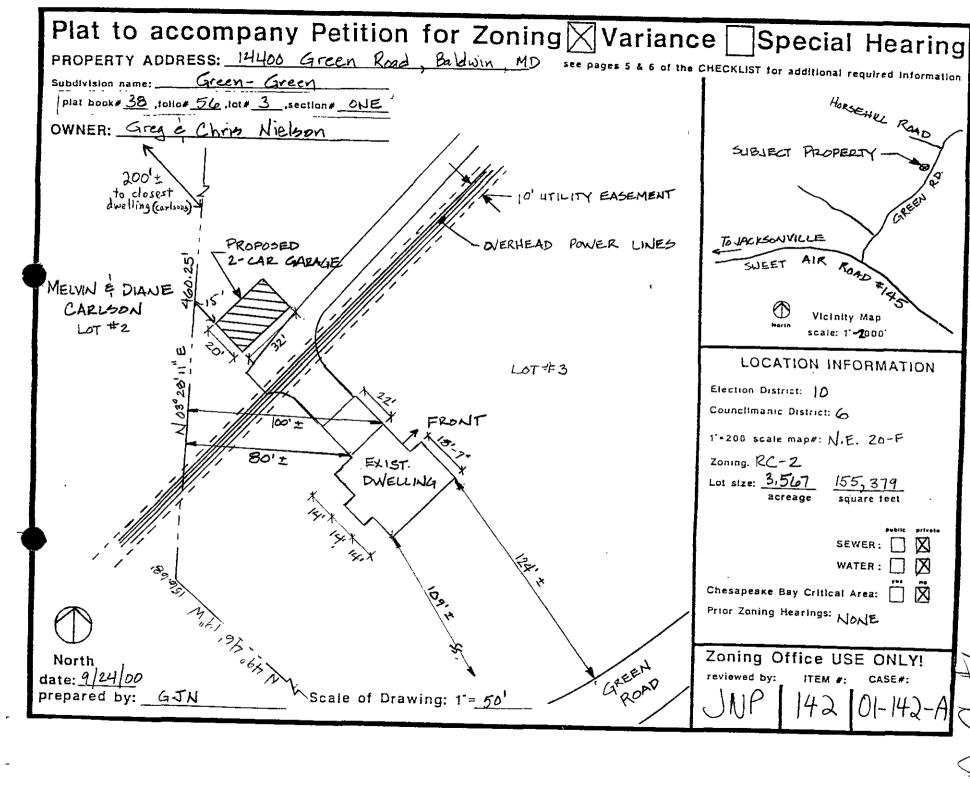
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.ind.us).

Very truly yours,

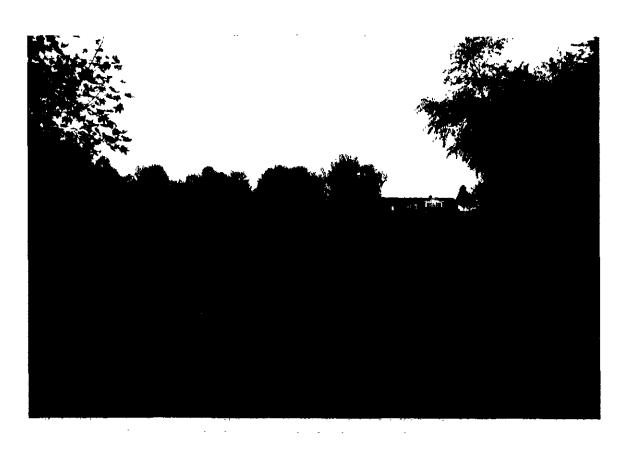
Konneth A. McDonald Jr., Chief Engineering Access Permits Division

1. f. Dredh

AGO.25 Ç N 03° 28' 11"E ß PIPE FOOTINGS *UNDER CONSTRUCTION 450.00 GREEN 20 REVERTIBLE SLOPE ERSEMENT R 530:00 L. Kolo.50 586 48'23"W 37.05) ROAD Ler-3 RESUBDIVISION LOTS 2/3 SECTION ONE, 10TH ELECTION DIST.; BALTIMORE CO., MD. RECORDED IN PLATBOOK 38, PAGE 56 This is to certify that I have surveyed the property shown hereon for the purpose of locating the improvements only, and that the improvements are located as shown. Exact property corners have not been established or est. R.T.E., Inc. assumes no responsibility or liability for any easements or right-of-ways, recorded or unrecorded, not appearing in the current Title Deed or Record Plat noted hereon. This plat is not intended for use in establishing property lines. Robert T. Fishpaugh R.L.S. No. 6034 Date LOCATION SURVEY SCALE 1 = 100 #14400 ROPO CAREEN R.T.F., Inc. DATE G-3-53 LAND SURVEYORS 142 East Main Street JOB NO. Westminster, MD 21157 848-2040 93. 67 876-1222



L.C.





01-142-A





01-142-A

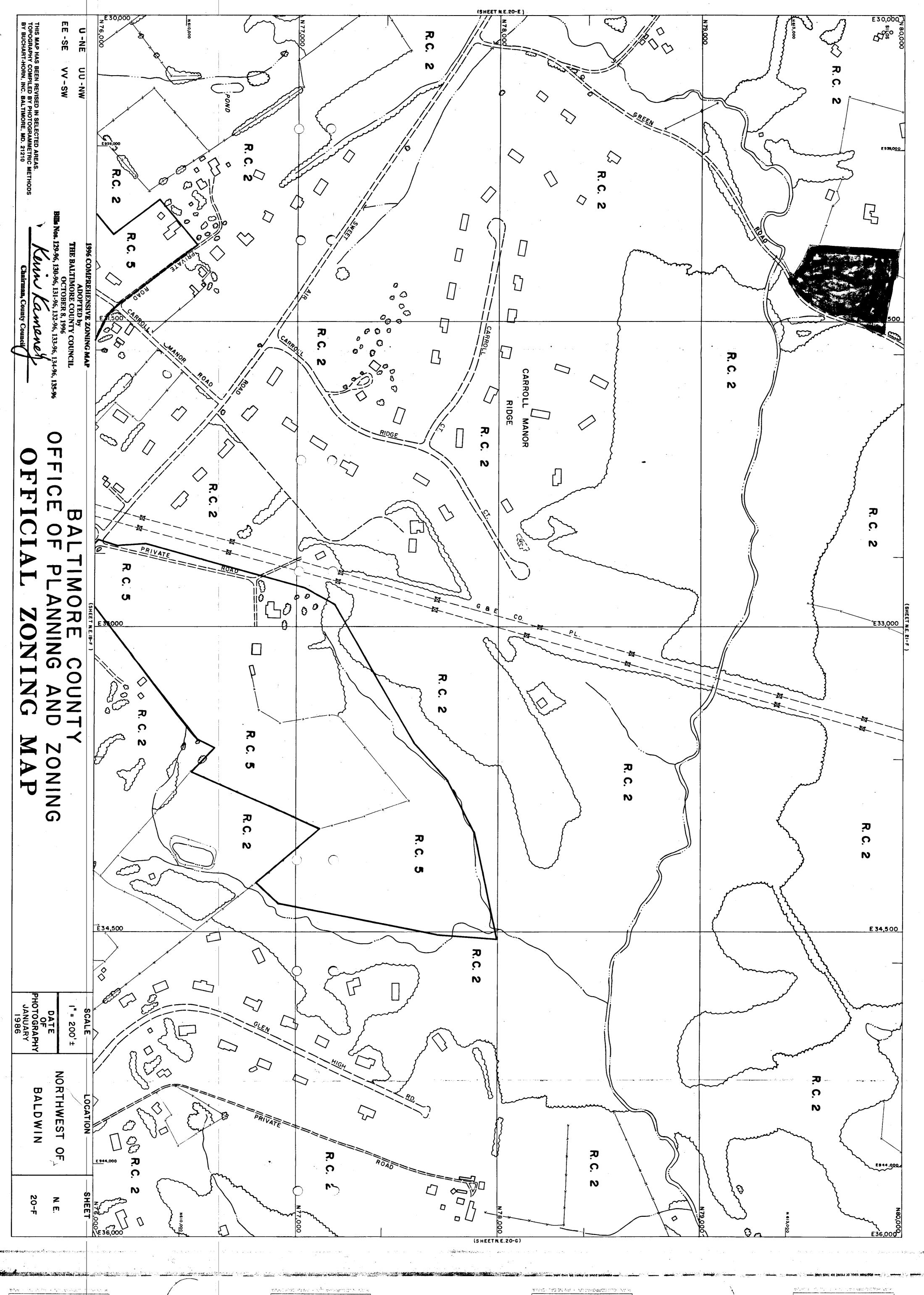


01-142-A





01-142-A



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DBAWING NUMBER

ASAMUM SVINVARO

