IN RE: PETITION FOR ADMIN. VARIANCE SW/S Henderson Hill Court, 700' +/- W centerline of Hereford Road 7th Election District 3rd Councilmanic District (7 Henderson Hill Court)

David and Joann Fox

Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 01-186-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, David and Joann Fox. The variance request is for property located at 7 Henderson Hill Court, in the Monkton area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 41 ft. side yard setback in lieu of the required 50 ft. to construct a sunroom. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

1/18/00) January

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 November, 2000, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 41 ft. side yard setback in lieu of the required 50 ft. to construct a sunroom, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCO

**DEPUTY ZONING COMMISSIONER** 

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

November 28, 2000

Mr. & Mrs. David L. Fox 7 Henderson Hill Court Monkton, Maryland 21111

Re: Petition for Administrative Variance

Case No. 01-186-A

Property: 7 Henderson Hill Court

Dear Mr. & Mrs. Fox:

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, buthy lotroes

Timothy M. Kotroco

**Deputy Zoning Commissioner** 

TMK:rai Enclosure

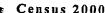


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REV 9/15/98

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at	7 HENDERSON	Hu	OT
which	is presently zoned	RC.	S,

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) 1A 64. 33.2 To Power A

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.

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Contract Purchaser/Lessee:		Legal Owner(s)	<u>:</u>	
		DAVID	L, Fox	
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City State  Attorney For Petitioner:	Zip Code	Signature	H-41	10-357-573
TO T		Address	w 71	Telephone No
Name - Type or Print		City	State	Zip Code
Signaturs		Representative :	to be Contacted:	
Company.				
A A	1	Name		
Address	Telephone No.	Address		Telephone No.
City State	Zip Code	City	State	Zip Code
A Public Hearing having been formally der	manded and/or found to be	required, it is ordered by t	he Zoning Commissioner of	Baltimore County,
regulations of Baltimore County and that the p	roperty be reposted.	is petition be set for a public	nearing, advertised, as requ	ured by the zoning
		Zoning Comm	issioner of Baltimore County	<del></del>
CASE NO. 01-186	$\cap$		Note: 11 - C	

Estimated Posting Date \_

# 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.

competent to testify thereto in the event that a	public hearing is scheduled in the future with regard thereto.	J. L., J
That the Affiant(s) does/do presently reside at	Address HUL CT	
	MONKTON MD. 2111	
That based upon personal knowledge, the foll Variance at the above address (indicate hards)	lowing are the facts upon which I/we have the request for an Administr	Code ative
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Vaviel & Jex	Joan O. Fof	
DAVID L. FOX	Signature A Fox	
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STATE OF MARYLAND, COUNTY OF BALTI		
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_ DAVID L FOX &	CAME A. FOX	
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set	sfactorily identified to me as such Affiant(s), and made oath in due for forth are true and correct to the best of his/her/their knowledge and believed.	m of ef.
AS WITNESS my hand and Notarial Seal		
NOVEMBER 12000	Tolo ( Land)	
Date	Notary Public	
	My Commission Expires 05.01.01	

# Affidavit in Support of Administrative Variance

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: :	MONKTON City	MD State	
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HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, po	WENBER ersonally appeared	<u>, 2000</u> , before me, a No	otary Public of the State
the Affiant(s) herein, personally known or satis	sfactorily identified to me	e as such Affiant(s), and ma	ade oath in due form of
aw that the matters and facts hereinabove set	forth are true and correc	t to the best of his/her/their i	knowledge and belief.
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REV 09/15/98



REV 9/15/98

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at	7 HENDERS	on the CT.
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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 (4 0 4.3 B. 2 To Family A.

41 FT. SIDE YARD SETBLE IN LIGHT SOFT.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

·			perjury, that I/we are the is the subject of this Petit	legal owner(s) of the i	penalties of property which
Contract Purchaser/	Lessee:		Legal Owner(s):		
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			Name - Type or Print	Ne Ver	r
Signature			Signature JOANN A	LEXANDER F	ox.
Address		Telephone No.	Name Type or Print	Persola	2/
City	State	Zip Code	Signature	H-	410-357-5135
Attorney For Petition	ner:		· V	10-	410-882-4422
			Address		Telephone No.
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gulations of Baltimore Count	y and that the proper	ty be reposted.		mai gasaitised, as iadhi	red by the zonnig
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Estimated Posting Date

# ZONING DESCRIPTION FOR IT HENDERSON HILL OF

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of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 4, as shown on the Plat entitled, "Henderson Hill", which Plat is recorded among the Land Records of Baltimore County in Plat Book SM No. 63 folio 56.

BEING part of the property described in a Deed dated July 30, 1991 and recorded among the Land Records of Baltimore County in 1ber SM 8870 folio 284 which was granted and conveyed by PAULINE M. HENDERSON unto the said party of the first part.

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01-186-A

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ACCOUNT STATE TO THE PROPERTY OF THE PROPERTY	SCELLANEOUS RECEIPT	No.		
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### CERTIFICATE OF POSTING

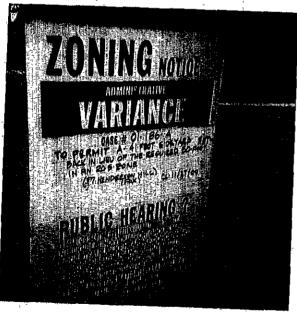
RE: Case No.: 01-186-A
Petitioner/Developer: FOX: BTAL
Date of Hearing/Closing. 11/27/0

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 # 7- HENDERSON WHILL CT. The sign(s) were posted on (Month, Day, Year)



01-186-A # T- HENDERSON HILL CT FOX - W/27/0 11/27/00 Sincerely,

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)

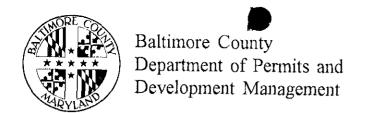
ZONING REVIEW

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 186 -A Address 7 Four Case Ville C.
Contact Person: SOUN KI-TICIATUCIU Phone Number: 410-887-3391
Filing Date: 11-3-00 Posting Date: 11-12-00 Closing Date: 11-27-00
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. <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- 186 -A Address 7 Honders CT
Petitioner's Name DAUGS SCANN FOX Telephone 40-357-5135
Posting Date: 11-12-00 Closing Date: 11-27-00
Wording for Sign: To Permit A 41 FT SCDE YARD SE-CBACK LINGUELL
CF THE REQUIRED SOFT IN AN RC-S ZONG

WCR - Revised 6/28/00

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ( 186 ( )



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

November 27, 2000

Joann A. & David L. Fox 7 Henderson Hill Court Monkton, MD 21111

Dear Mr. & Mrs. Fox:

RE: Case Number: 01-186-A, 7 Henderson Hill Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 3, 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. Supervisor, Zoning Review

WCR:gdz

**Enclosures** 

C: People's Counsel



#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 29, 2000

Department of Permits & Development Mgmt.

FROM: ()

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 27, 2000

Item Nos. 178 (5113 Old Court Road), 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 191, 192, 193, 194, 195, 196, 198, 199, 201,

and 202

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

RWB:HJO:jrb

cc: File



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

November 27, 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 November 20, 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:

179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193, 194, 195, 196, 197, 198, 200, 201, 202, and 203

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 KORS

DATE:

December 1, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of November 20, 2000

DEPRM has no comments for the following zoning petitions (page 1 of 2):

Item #	Address
178	5113 Old Court Road
181	4 St. Thomas Lane
182	1912 Wilson Lane
184	1214 Blue Mount Road
185	10911 Reisterstown Road
186	7 Henderson Hill Court
187	11504 Hannibal Road
188	7419 Beech Avenue
189	3300 Willoughby Road
191	6823 Old Pimlico Road
192	3900 Beckleysville Road
194	2315 Benson Mill Road
195	Security Blvd. & Rolling Road
196	1250 Sulphur Spring Road

## BALTIMO E COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 28, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 01-181, 01-184, 01-185, 01-186, 01-192,

01-194, and 01-204.

The Office of Planning has reviewed the above referenced case(s) 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: 11.27.00

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

RE: Baltimore County

Item No. 186 (JRA)

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).

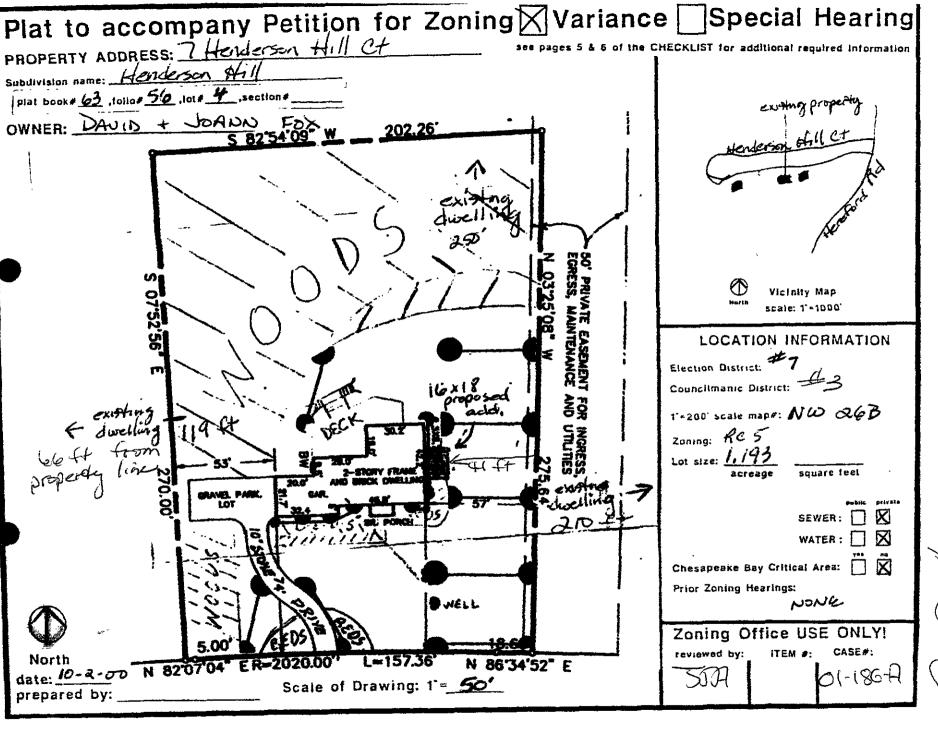
Very truly yours,

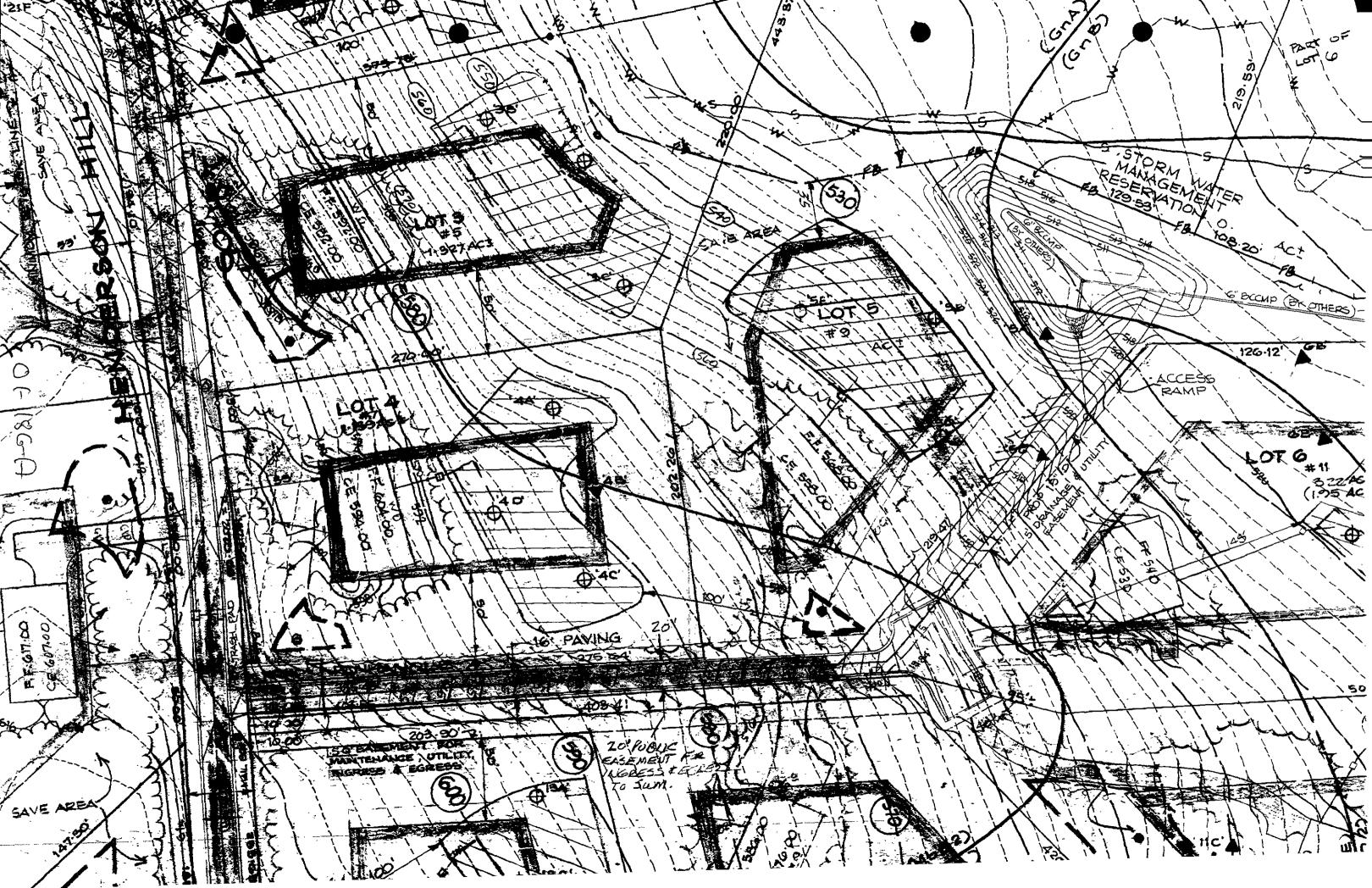
P.J. Dulle

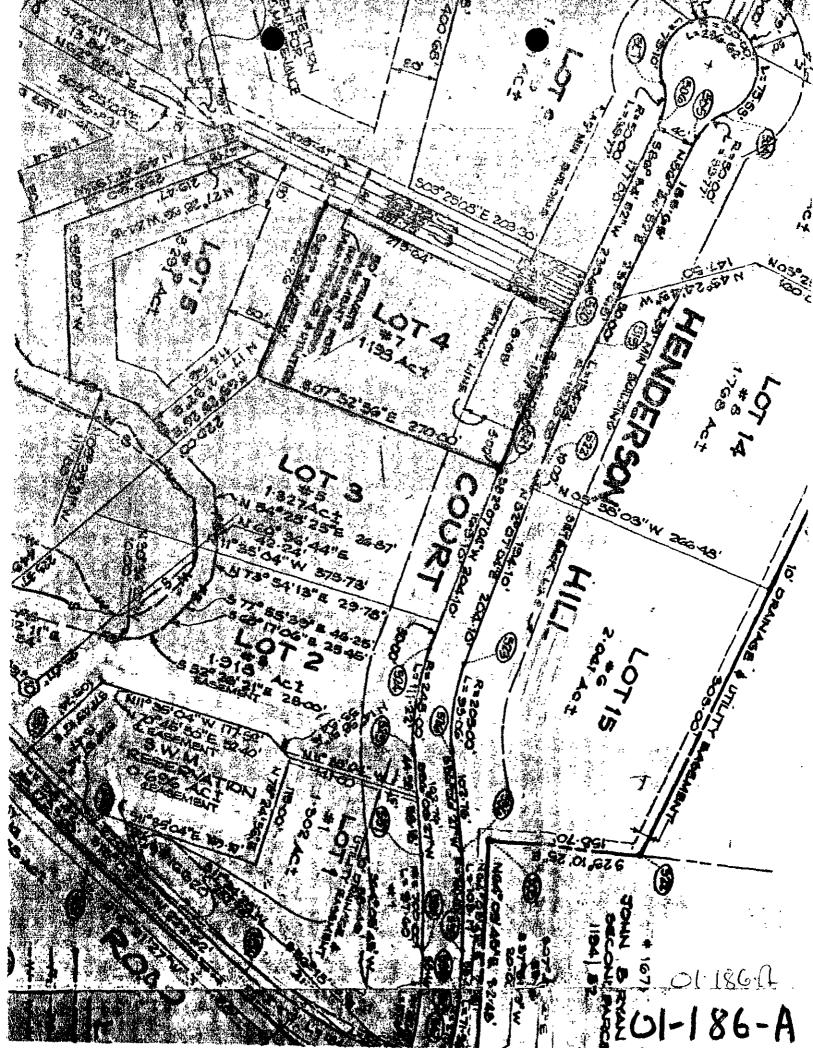
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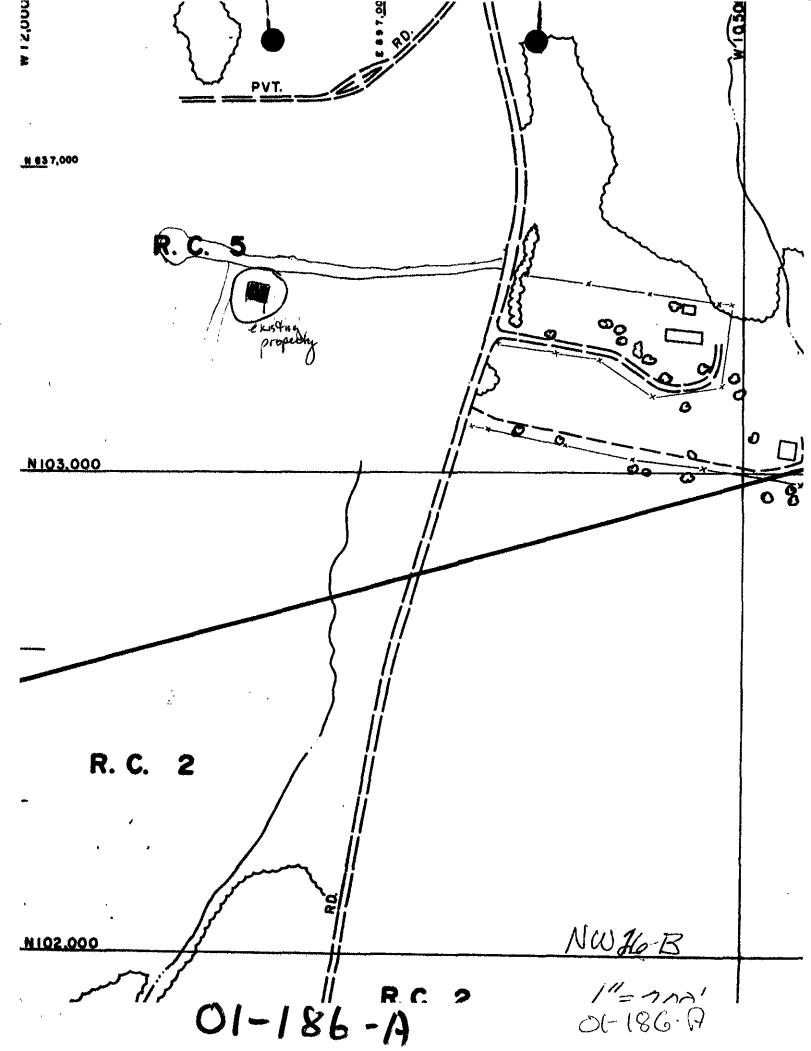
Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

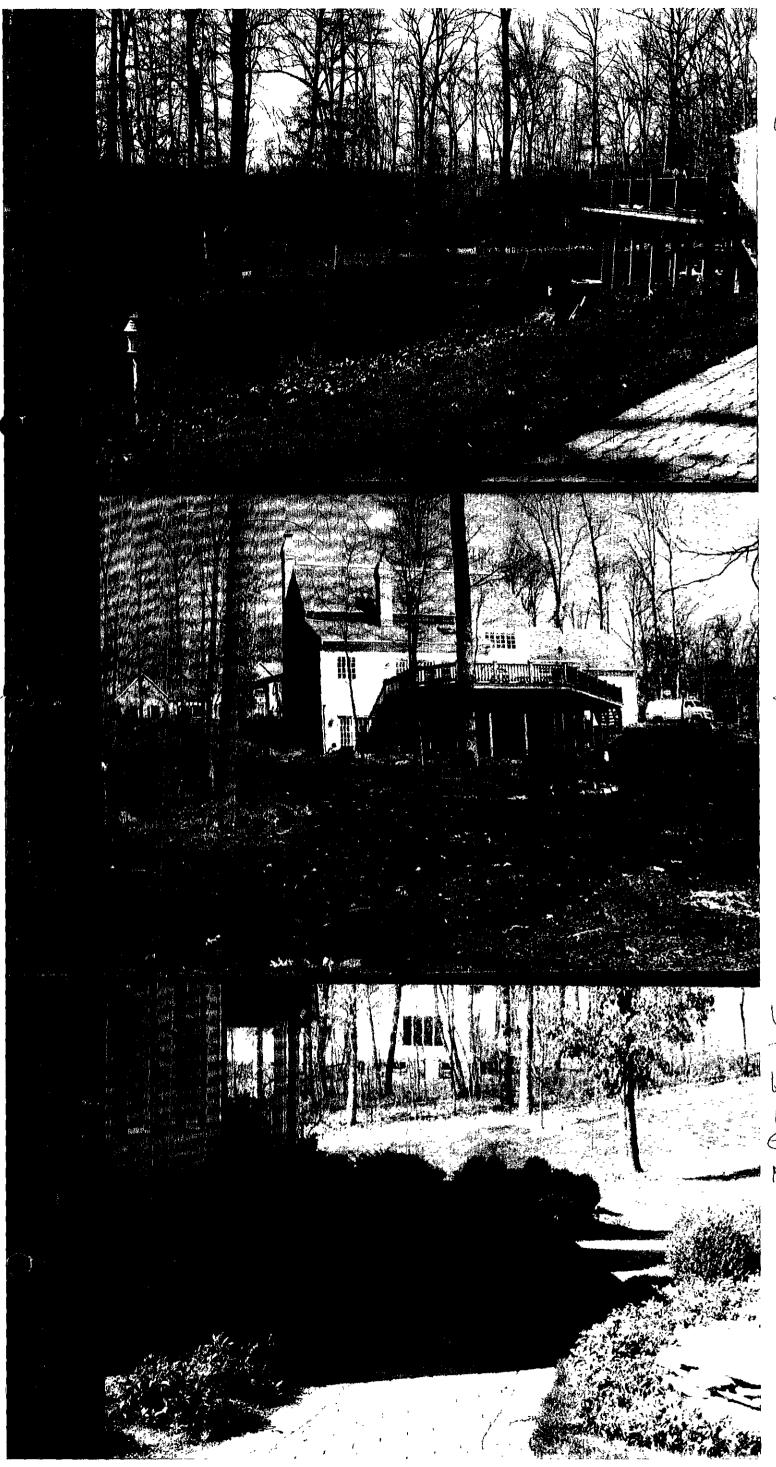
B. E. #1











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View Pasi There Door Lockum WEST ACTROSS NEIGHBERS ACCESS EASE FLEUT COUNTY NEIGHBORS House

