IN RE: PETITION FOR ADMIN. VARIANCE SWC Lincoln Woods Drive and Union Hall Court 1st Election District 1st Councilmanic District (1305 Lincoln Woods Drive)

> John and Laura Stewart Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* CASE NO. 01-233-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, John and Laura Stewart. The variance request is for property located at 1305 Lincoln Woods Drive in the Catonsville area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sec. 208.4 of old regs.), to allow a proposed addition with a rear yard setback of 15 ft. in lieu of the minimum required 30 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 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 January, 2001, that a variance from 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sec. 208.4 of old regs.), to allow a proposed addition with a rear yard setback of 15 ft. in lieu of the minimum required 30 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.

ТІМОТНҮ М. ҚОТКОСС

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

January 3, 2001

Mr. & Mrs. John D. Stewart, II 1305 Lincoln Woods Drive Catonsville, Maryland 21228

Re: Petition for Administrative Variance

Case No. 01-233-A

Property: 1305 Lincoln Woods Drive

Dear Mr. & Mrs. Stewart:

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.

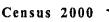
Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1305	Lincoln	Woods	Dr.
which is pres	sently zoned	D. R.	3.5

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and Development Management. owner(s) of the property situate in Baltimore County and which is described in the description and made a part hereof, hereby petition for a Variance from Section(s) 1822.3.8 (208.46 old regs) allowed the control with a near yard Setback of 1562. In the Control of the Country of Setback of 1562.	

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.

			is the subject of the	are the legal his Petition.	owner(s) of the	property which
Contract Purchaser/Le	essee:		Legal Owner(<u>(s):</u>		
			John	D. <	Stewar	4 T
Name - Type or Print			Name - Type or Prir		31 00001	· /
Signature			Signature	bwash	<u> </u>	
			Laura	\mathcal{K} .	Stewa	rt
Address		Telephone No.	Name - Type or Prir	~ <i> //</i> \	/	
City	State	Zip Code	Signature	Meula	<u>~~</u>	
Attorney For Petitione	<u>r:</u>	•	1305 Lin	coln No	oods dr.	410747679
			Address			Telephone No.
Name - Type or Print			Catonsui	ne	MD State	2/22 Zip Code
			Representativ	e to be C	ontacted:	_,
Signature			_		-	
Company			Revision Name	17 VEW	baeling	
12		ı	9398 Ba	1/to.No	itl. Piki	2_410313-
Addless		Telephone No.	Address		-45	Telephone No.
City	State	Zip Code	Ellicott C	/+y	M() State	-210 4 Zip Code
A Public Hearing having been	formally demand	ed and/or found to be	required, it is ordered i	by the Zoning	Commissioner of	Baltimore Coun
this day of regulations of Baltimore County a	nd that the propert	t the subject matter of the y be reposted.	nis petition be set for a pu	blic hearing, a	dvertised, as requ	lired by the zon
10			Zoning Co	mmissioner of	Baltimore County	
CASE NO.	-233-1	A Davi	iewed By		nto 12-1.	-60
60_0 Ee,20			1	U	ate 12-6	<u>- 0</u>
REV 9 15 98		Esti	mated Posting Date	2 <u>/ Z</u>	-17-00	

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore C

follows: That the information herein given is competent to testify thereto in the event that a p	within the person	nal knowledge.	of the Affiant(s)	and that Affiant(s) is/are d thereto.
That the Affiant(s) does/do presently reside at	1305 L	incoln	Woods	Drive
	Address Catons		448	2/228
4	City	OTTIE	State	<u>∠(∠∠δ</u> Zip Code
That based upon personal knowledge, the follovariance at the above address (indicate hardsh	wing are the facts ip or practical diffi	s upon which I/ culty);	we base the req	uest for an Administrative
•		-		
		1 0		
	e att	ached		
, –	•	·		•
That the Affiant(s) acknowledge(s) that if a fo	ormal demand is	filed Affiant(s)	will be required	to nav a renosting and
advertising fee and may be required to provide	additional informat	tion.	wiii bo roquiroc	to pay a reposting and
0 0600			-11- 1 Y	•
Signature Signature		Signature	flewar)	
1 Committee			v C1	> +
Name - Type or Print		<u> 人るひ「ゐ</u> Name - Type or Pr	rint	ewart
			•	
STATE OF MARYLAND, COUNTY OF BALTIM	MORE to wit:			
I HEREBY CERTIFY, this 17th day of	Janan 100)	2000	a hoforo ma a	Notary Public of the State
of Maryland, in and for the County aforesaid, pe	rsønally appeared		2, belole lile, a	Notary Public of the State
John Stewart au	d Raul	cand V	temalt.	
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	factorily identified orth are true and c	to me as such correct to the be	i Affiant(s), and rest of his/her/thei	made oath in due form of ir knowledge and belief.
				,
AS WITNESS my hand and Notarial Seal	(ς. _Λ		
11/17/00	<u> </u>	(), ()	Q A	Jelonik.
Date // /	Notary P	ablic		T
	My Com	mission Expire	s 10/01	101

REV 09/15/98

ffidavit 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 competent to testify thereto in the event that a	within the personal knowledge of oublic hearing is scheduled in the fu	the Affiant(s) and the ture with regard there	at Affiant(s) is/are o.
That the Affiant(s) does/do presently reside at	1305 Lincoln Was		
	Address City City	4)	2/228
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	owing are the facts upon which I/we ip or practical difficulty):	state base the request for	Zip Code an Administrative
	. 4 . 1 . 0		
Sel	attocked	·	
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) w additional information.	rill be required to pay	a reposting and
Jan Dun Stand	L.K.J	tewart	
JOHN STEWART Name - Type or Print	Signature ACUCA Name - Type or Print	K. Stewa	art
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this 27 day of of Maryland, in and for the County aforesaid, pertine Affiant(s) herein, personally known or satisfiant the matters and facts hereinabove set for	respinally appeared Lault and Lault factorily identified to me as such A	before me, a Notary F	val+
AS WITNESS my hand and Notarial Seal	(
11/27/00 Date	Notary Public Veleta	ay f	bak
	My Commission Expires _	10/01/0	
		<i>f I</i>	

REV 09/15/98

Laura's mother requires support. She lives alone and has reached an advanced age. We wish to have her live with us.

It is not practical for us to move to a larger property. However, we need more space to accommodate Laura's mother. We have recently replaced the following items in our home:

Furnace Kitchen appliances Hot water heater Bathrooms Air conditioner Stairway

We would loose money if we sold the house now as the purchase price of the house plus the improvements we have made exceed the market value of the house.

Placing the addition in a different position or attaching it to a different part of the house is not practical. It is not a good idea to wrap the addition around the existing house. That would reduce the value of the property because it would make the dining room an interior room, thereby making the room objectionable. To swing the addition out in the yard would add additional expense (because of the additional exterior walls required) and would not conform to the 30 foot rule to which the proposed addition does not Additions to other areas of the house would be more expensive than the proposed addition -- they would require the removal of existing parts of the house. The addition, no matter where placed, will not add to the current open market value of house. It will take a decade or more to recoup our investment as a result of increases in the value of property in the neighborhood -- assuming a growth rate equivelent to that of the past the years.

The best location for the addition, from the perspective of quiet and privacy, is having it extend from the side of the existing structure toward the back property line. That will place it on an existing court that is frequented mainly by the residents of the court. The street in front of the house is heavily travelled and the main access route for the neighbors on the side of the hours would be closer to the addition if the addition were placed on that side.

It we do not have the addition, we will not be able to comfortably accommodate Laura's mother without a significant change in life style. The addition will allow continuation of the current lifestyles of our family by preserving existing leisure space that would be lost if current space was converted to living space and not replaced.

Not having the addition would be burdensome. We would not have the same level of diversity in living space thus requiring snaring of space that we do not now have to share. The children's study areas would be reduced or eliminated and workspace for various projects would be lost.

Not having the addition would be unjust to our family because we could not adequately care and provide support for Laura's mother.

233

If Laura's mother continues in her current home we might not be there when she needs us. If she moves to a retirement community, we could not spend as much time with her as we plan to if she is with us because of the distance we would have to travel to see her. In addition, living in a retirement community would be depressing for Laura's mother because she would not be in familiar surroundings with people she knows.

No negalive effects will accrue to our neighbors. Access to the rear of houses next to us could be gained by going on the side of our house opposite from the addition. The addition would not require the removal of fences, shrubbery, or trees from the neighbors in the back of our house. The addition would not injure trees or shrubs.

The addition will conform with the appearance of surrounding structures; it will meet height requirements; the structure will not obscure signs or impede the use of fire hydrants; and it will not affect the amount of existing parking.

In summary, failure to obtain a zoning variance will cause an unfair burden to be place on our family including Laura's mother by the fact that it will either reduce the quality of life of all residing at the residence or prevent us from providing the level of support required by Laura's mother. The addition will not affect our neighbors.

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 1305 Lincoln Woods Drive, Catonsville, 21228

Beginning at a point on the South side of Lincoln Woods Drive which is 60 feet

Southwest Corner

wide at the Corner Lot of the nearest improved intersecting street Union Hall Court which

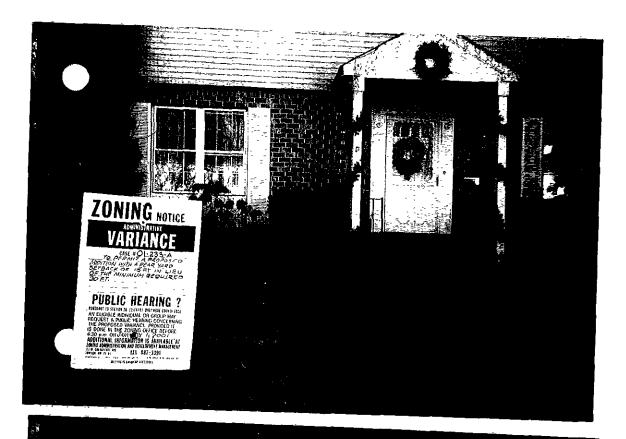
is 50 feet wide. Being Lot # 138, Section # 5 in the subdivision of Woodbridge Valley as

recorded in Baltimore County Plat Book # 35-105, Folio # 105, containing 12,431 sq ft.

also known as 1305 Lincoln Woods Drive and located in the 1st, Election District, 1st

Councilmanic District.

233



TO DERWITH A PLAK VARD SET WELL WITH WAS PERSONALLY OF SENDENT OF SENDENT WAS PART OF SENDENT OF SENDENT WAS PART OF

BALTIMORE COUNTY, MARYL D OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT No.	PAID REEPT Frank autor des 200, du 12/06/2000 11/36/35/
DATE ACCOUNT S 30.	ST 1922 CHEMIER NOW AND GRAPTS LANG SERVICE CRAFT TO SELECT C
FOR: Product of Van ones of high free	St. 60 CA
Company of the state of the second	

CERTIFICATE OF POSTING

	RE: Case No.: 01-233-A
	Petitioner/Developer:
	MR. JOHN D. STOWART
	Date of Hearing/Closing: 01-01-01
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:	•
were posted conspicuously on the property lo	perjury that the necessary sign(s) required by law ocated at
The sign(s) were posted on DEC. 15	5.1200
	(Month, Day, Year)
	Sincerely,
	Darland DE lovie
	(Signature of Sign Poster and Date)
	(Printed Name)
	3775 RYERSONI CINCLE
	(Address)
•	City, State, Zip Code)
	(City, State, Zip Code) (410) 247-4763
	(Telephone Number)

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.

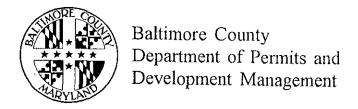
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Adve	ertising:
Item Number or Case Petitioner: John	Number: 01-233-A.) & LAURA STEWART
Address or Location:	1305 LINCOLN WOODS DR. CATONSVILLE
PLEASE FORWARD	ADVERTISING BILL TO:
Name:	REVISIONS "Remodeling-Showroom"
Address:	9398-C BALTIMORE NATIONAL PIKE ELLICOTT CITY, MD 21042
Telephone Number: _	4,0-313-9398

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES Case Number 01- 233 Address 1305 Lincoln Woods DK. J. Sullivan Contact Person: ____ Phone Number: 410-887-3391 Planner, Please Print Your Name Filing Date: 12-6-00 Posting Date: 12-17-00 Closing Date: 01-01-01 Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the 1. 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. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file 2. 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 3. 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. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing 4. (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- 233 -A Address 1305 Lincoln Woods DR-Petitioner's Name John D. Stewart Telephone 410 747-6792 Posting Date: 12-17-00 Closing Date: 01-01-01 Wording for Sign: To Permit a proposed addition with a rean yard setback 15 ft. in lieu of the minimum required 30 ft,



Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 2, 2001

Laura K. & John D. Stewart, II 1305 Lincoln Woods Drive Catonsville, MD 21228

Dear Mr. & Mrs. Stewart, II:

RE: Case Number: 01-233-A, 1305 Lincoln Woods Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 6, 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. 602

Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Revisions Remodeling, 9398 Baltimore National Pike, Ellicott City 21043 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: January 18, 2001

Department of Permits & Development Mgmt.

FROM: R bert W

Robert W. Bowling, Supervisor ureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For January 2, 2001

Item Nos. 233, 234, 235, 236, 238, 239, 240, 241, 244, 246, 247, 248, 249, and 250

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

December 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 December 26, 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:

231, 233, 234, 235, 236, 237, 238, 240, 241, 243, 244, 245, 246, 247, 249, and 250

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 Ac/RBS

DATE:

January 18, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of December 26, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
231	8100 Salt Lake Drive
233	1305 Lincoln Woods Drive
234	3 Arrowhead Court
235	1223 Lake Falls Road
238	Oak Grove Parcel B
239	Crondall Corner
241	10 McCormick Avenue
242	1324 & 1325 Chippendale Road
243	Pikesville Giant
244	4800 Mt. Carmel Road
245	6 Aston Court
246	3700 Essex Road
247	7163 E. Baltimore Street
248	113 Westminster Road
250	10002 & 10002A Lodge Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 2, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JAN - 3

SUBJECT: Zoning Ad

Zoning Advisory Petition(s): Case(s) 01-233.

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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: 1 · 3 · 0 /

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

Dear, Ms. Jackson:

RE: Baltimore County

Item No. 233 JJS

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,

P. J. Fredle

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

My telephone number is _____

FILE 233

December 10, 2000

Mr. and Mrs. Wayne Forrest 3 Union Hall Court Catonsville, Maryland 21228

To Whom It May Concern:

We are next door neighbors of John and Laura Stewart, who live at 1305 Lincoln Woods Drive, Catonsville, Maryland. Our address is 3 Union Hall Court, Catonsville, Maryland.

We have reviewed the plans the Stewart's have for a 30-foot by 13-foot addition to the West Side of their house and recognize that the addition will be within 15 feet of our property line. We approve of the plans.

Sincerely;

Com Wrye tenes

December 10, 2000

Jayant and Purnina DeSai 1303 Lincoln Woods Drive Catonsville, Maryland 21228

To Whom It May Concern:

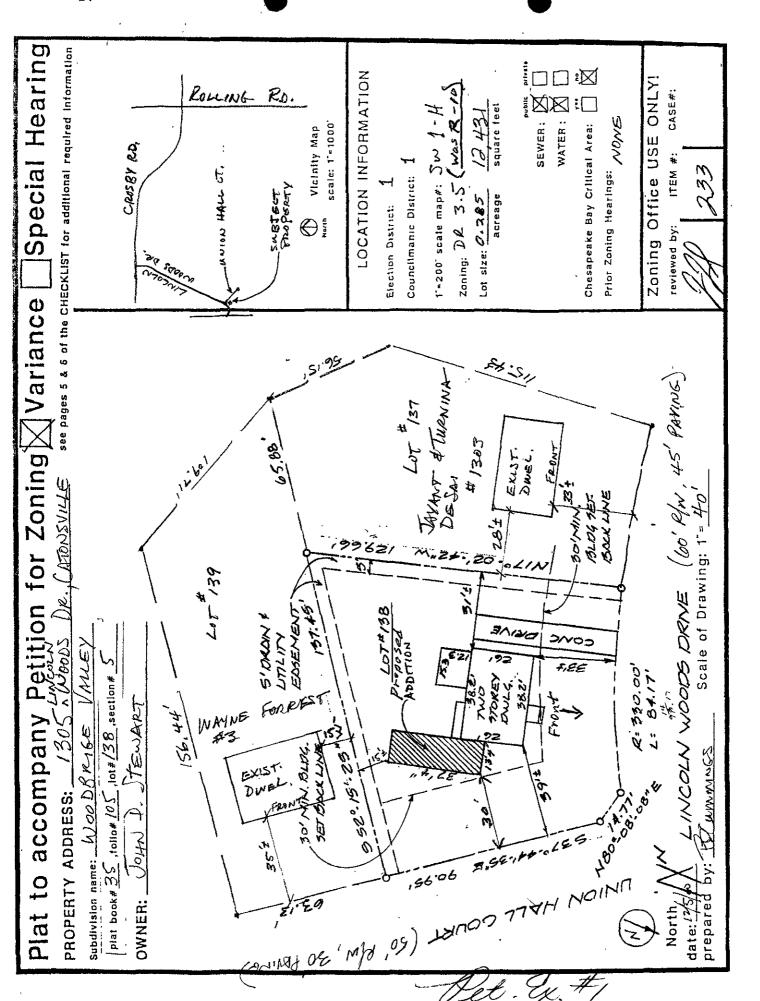
We are next door neighbors of John and Laura Stewart, who live at 1305 Lincoln Woods Drive, Catonsville, Maryland. Our address is 1303 Lincoln Woods Drive, Catonsville, Maryland.

We have reviewed the plans the Stewart's have for a 30-foot by 13-foot addition to the West Side of their house. We recognize that the addition will not be within 30 feet of our property line but will be within 15 feet of the property line with 3 Union Hall Court, Catonsville, Maryland. We approve of the plans.

Sincerely;

facsimile transmittal

To:	DHN	Cum	MINS	From	GEOR	GE D ZA	HNER	
Fax:	410	313	9298	Date:	6	2-/-0	7/	
Phone:		- Mercan		Pages	s:	3 +	COVE	17
Re:				CC:				
□ Urgen	t □ Fo	r Review	☐ Please Com	ment	□ Please	Reply	☐ Please Re	ecycle
Notes:	•		•		•	•	•	•
		01	-2 :	33		,		
		Do	in G	UM	mis	n		
		4/	0 313	3 9	39	Y		
		4	133	24	49:	3 <i>P</i>		
		4/(9313	9	29,	P		



CASE # 06-233-A



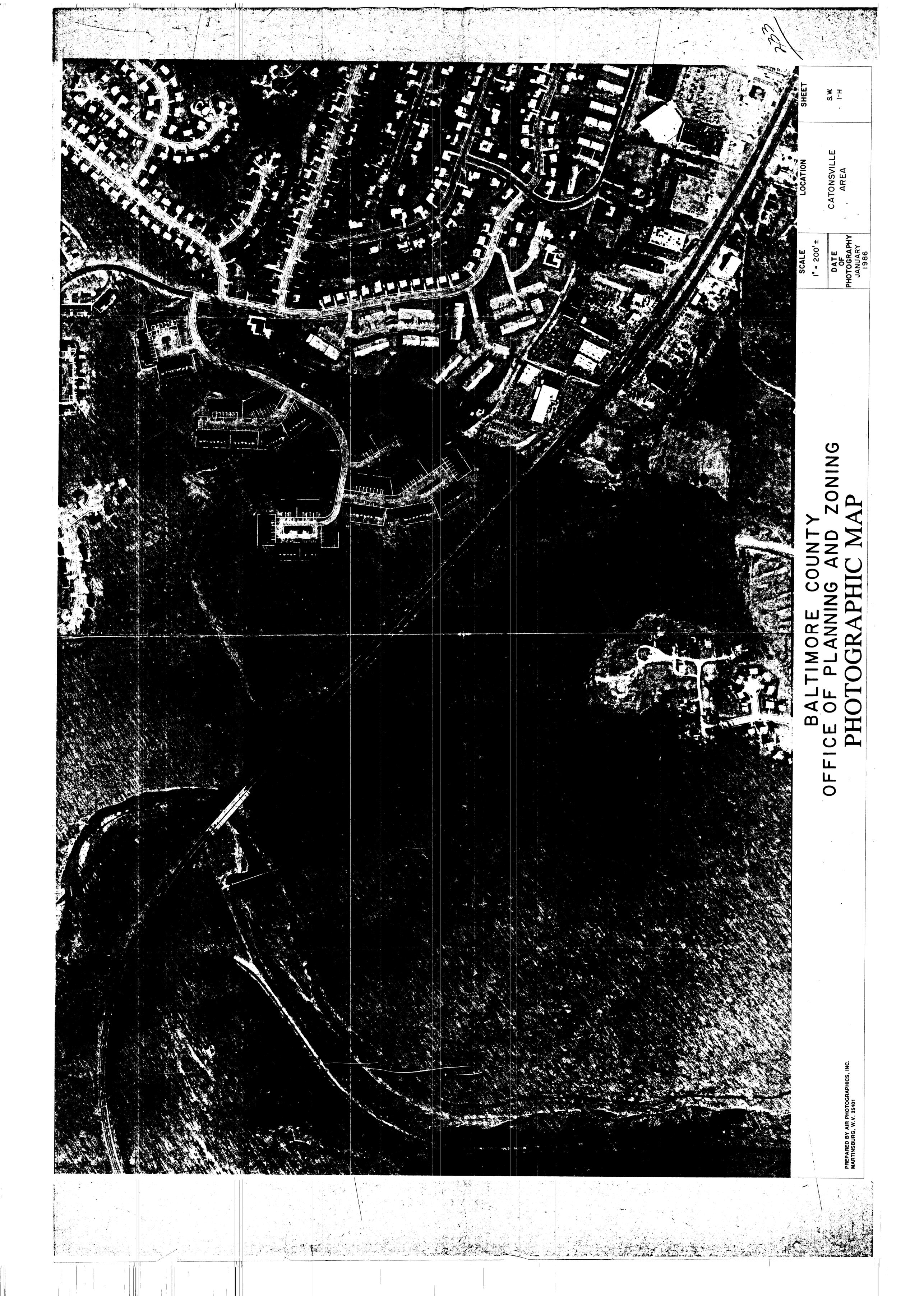
View from SIDE STUDE

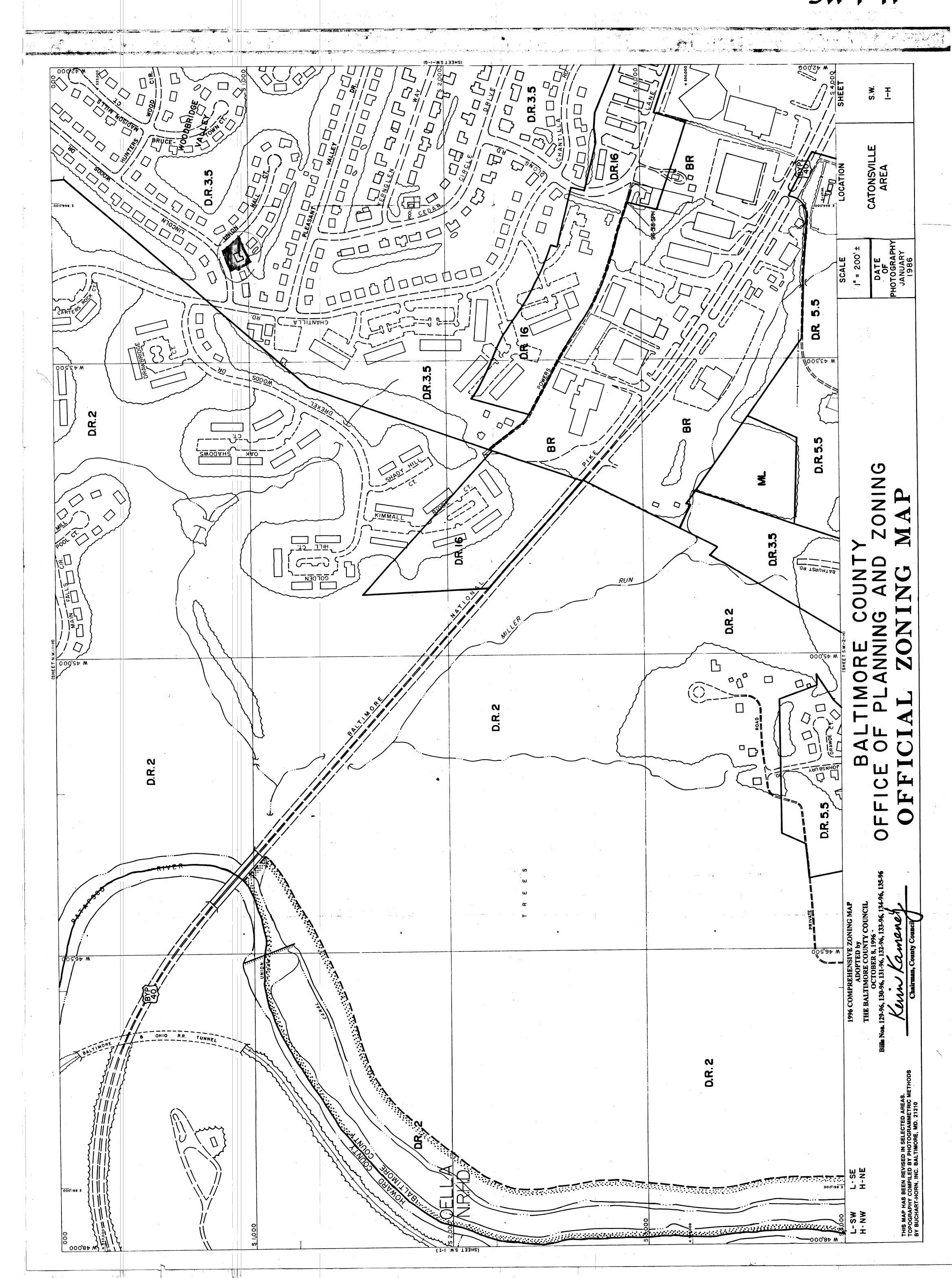
CASE #01-233-A



1305 LINCOLN WOODS DR.

View from street (To Real)





IN RE: PETITION FOR ADMIN. VARIANCE

S/S Arrowhead Court 145' SW centerline of Arrowhead Road 2nd Election District 2nd Councilmanic District

(3 Arrowhead Court)

Robert Eugene Taylor, Jr. Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-234-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 owner of the subject property, Robert Eugene Taylor, Jr. The variance request is for property located at 3 Arrowhead Court in the Pikesville area of Baltimore County. The Petitioner herein seeks a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (proposed garage) in the side yard with a 1 ft. setback in lieu of the rear yard with a 2.5 ft. setback. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner 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 Petitioner has 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 Petitioner.

on the state of th

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 3rd day of January 2001, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (proposed garage) in the side yard with a 1 ft. setback in lieu of the rear yard with a 2.5 ft. setback, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

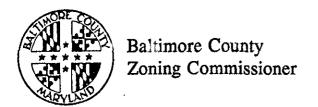
LIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

January 3, 2001

Mr. Robert E. Taylor, Jr. 3 Arrowhead Court Baltimore, Maryland 21208

Re: Petition for Administrative Variance

Case No. 01-234-A

Property: 3 Arrowhead Court

Dear Mr. Taylor:

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,

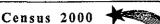
Timothy M. Kotroco

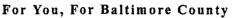
Deputy Zoning Commissioner

luty Kotroco

TMK:raj Enclosure















Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3 ARROwhead 6 T	
which is presently zoned DR 5.5	

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. | BCZR TO REPART PERMIT A DETACHED ACCESSORY STRUCTURE (PROPOSED GARAGE) IN SIDE YARD WITH A | FT. SETBACK IN LIEU OF THE REAR YARD WITH A 2/2 FT. SETBACK RES

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 perjury, that I/we is the subject of t	declare and affirm, under the are the legal owner(s) of the his Petition.	e penalties of property which
Contract Purchaser/L	essee:		Legal Owner	<u>(s):</u>	
		•	Rober	+ Eugene Tay	ho de
Name - Type or Print			Name - Type or Pri	nt + 6	1 1
Signature		· · · · · · · · · · · · · · · · · · ·	Signature And	vest Eugene Say	lange
Address		Telephone No.	Name - Type or Pri	nt Cagara Sci	The state of the s
City	State	Zip Code	Signature		
Attorney For Petition	<u>9r:</u>		3 ARK Address	Rowhead CT	4/0-6559312 Telephone No.
Name - Type or Print			City	101e, ///D State	2/208 Zip Code
Signature	***************************************		Representati	ve to be Contacted:	·
Company			Name		
Address		Telephone No.	Address		Telephone No.
City 2	State	Zip Code	City	State	Zip Code
A Public Hearing having been this cap of regulators of Baltimore County	. tna	t the subject matter of thi y be reposted.	is petition be set for a p	by the Zoning Commissioner of ublic hearing, advertised, as req ommissioner of Baltimore Count	uired by the zoning
PEU 915198		Esti	mated Posting Dat	te [2] 700	·

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as

competent to testify thereto in the event that a p	within the personal knowledge of the Affiant(s) and that Affiant(s) is/are public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	3 ARROWHEAD G
	BALTIMORE MD 21208
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	owing are the facts upon which I/we base the request for an Administrative ip or practical difficulty):
PLACEMENT OF STR	UCTURE AT ANY OTHER LOCATION WOULD
LIMIT AND HINDER VEH	ICULAR ACCESS. HILL ALONG SIDE AND
REAR AND SHAPE OF L	OT LIMIT ABILITY TO ACCESS VERY
SMALL REAR YARD.	DEA
/,	$\mathcal{K} \subset \mathcal{F}$
That the Affiant(s) acknowledge(s) that if a for	ormal demand is filed, Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide	additional information.
DITE 401	•
Kohert Engane Farylon	Signature
Resemble From Tive	22.70
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTI	MORE to wit:
I HEREBY CERTIFY, this and day of od	0000
of Maryland, in and for the County aforesaid, pe	ersonally appeared
Probert Eugene Taylor Jr.	
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 form of forth are true and correct to the best of his/her/their knowledge and belief.
	_
AS WITNESS my hand and Notarial Seal	
10/2/00	
Date	Notary Public
	My Commission Expires 10/1/02

ZONING DESCRIPTION

23A

ZONING DESCRIPTION FOR 3 Arrowhead Court

Beginning at a point on the South side of Arrowhead Court which is 50 feet wide at the distance of Feet South-West of the centerline of the nearest improved intersecting street

Arrowhead Road which is 50 feet wide. Being Lot #10, Block J, Section 3 in the subdivision of Belle Farm Estates as recorded in Baltimore County Plat Book #26, Folio 122, containing

12,811 square feet. Also known as 3 Arrowhead Court and located in the 2nd Election District.

NBG



3 Arrowhead Court

BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	N # 234 No.	35 246	- Pai Meiri Mart — Mos — Tae Vivon (2017:10) (1841)
DATE 12 07 00 ACCO	50 O	Vec	4901 CARLET AND
RECEIVED PROM: COSE FROM:	Aylor		Acort Tot ; TOLOG TX ; Baltimore Cuerty, Hursland
FOR: RV. FILINICA			
The state of the s			

CERTIFICATE OF POSTING

RE: CASE # 01-234-A
PETITIONER/DEVELOPER
(Robert Taylor)
DATE OF Closing
(1-1-01)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

3 Arrowhead Court Baltimore , Maryland 21208	
THE SIGN(S) WERE POSTED ON	12-15-00
	(MONTH, DAY,YEAR)
	SINCERELY,
	(SIGNATURE OF SIGN POSTER & DATE)
	THOMAS P. OGLE SR
	325 NICHOLSON ROAD
	BALTIMORE, MARYLAND 21221
	410-687-8405

(TELEPHONE NUMBER)

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.

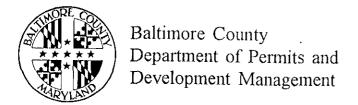
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 01-234-A
Petitioner: POPSERT TATLOR
Address or Location: 3 APROWHEAD GT., BALTIMORE MD 21208
PLEASE FORWARD ADVERTISING BILL TO:
Name: _ ROBERT TAYLOR
Address: 3 APROWHEAD CT.,
PALTIMORE MD 21208
Telephone Number: 410 655 9317

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 234 -A Address 3 ARROWHEAD CT.		
Contact Person: John LEWIS Planner, Please Print Your Name Phone Number: 410-887-3391		
Filing Date: 12 07 00 Posting Date: 12 17 00 Closing Date: 1 1 0		
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.		
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.		
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.		
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.		
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.		
(Detach Along Dotted Line)		
Petitioner: This Part of the Form is for the Sign Poster Only		
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT		
Case Number 01- 234 -A Address 3 ARROWHEAD CT.		
Petitioner's Name ROBERT TAYLOR. Telephone 410-655-9312		
Posting Date: 12 17 00 Closing Date: 11 01		
Wording for Sign: To Permit A DETACHED ACCESSORY STRUCTURE (PROP. GARAGE)		
IN SIDE YARD WITH A I FT. SETBACK IN LIEU OF REAR YARD WITH		
A 2 GFT, SETBACK		



Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 2, 2001

Robert E. Taylor, Jr. 3 Arrowhead Court Baltimore. MD 21208

Dear Mr. Taylor, Jr.:

RE: Case Number: 01-234-A, 3 Arrowhead Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 7, 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.

CDZ

Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 18, 2001

TO: Arnold Jablon, Director

Department of Permits & Development Mgmt.

FROM:

R bert W. Bowling, Supervisor ureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 2, 2001

Item Nos. 233, 234, 235, 236, 238, 239, 240, 241, 244, 246, 247, 248, 249, and 250

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

December 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 December 26, 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:

231, 233, 234, 235, 236, 237, 238, 240, 241, 243, 244, 245, 246, 247, 249, and 250

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 Ac/RBS

DATE:

January 18, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of December 26, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
231	8100 Salt Lake Drive
233	1305 Lincoln Woods Drive
234	3 Arrowhead Court
235	1223 Lake Falls Road
238	Oak Grove Parcel B
239	Crondall Corner
241	10 McCormick Avenue
242	1324 & 1325 Chippendale Road
243	Pikesville Giant
244	4800 Mt. Carmel Road
245	6 Aston Court
246	3700 Essex Road
247	7163 E. Baltimore Street
248	113 Westminster Road
250	10002 & 10002A Lodge Road
	<u> </u>

HY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

JAN - 3

TO:

Arnold Jablon, Director

DATE: January 2, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-231, 01-234, 01-235, 01-238, & 01-249.

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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: Mart Cul

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: 1.3.01

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

RE:

Baltimore County

Item No. 234

JLL

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.

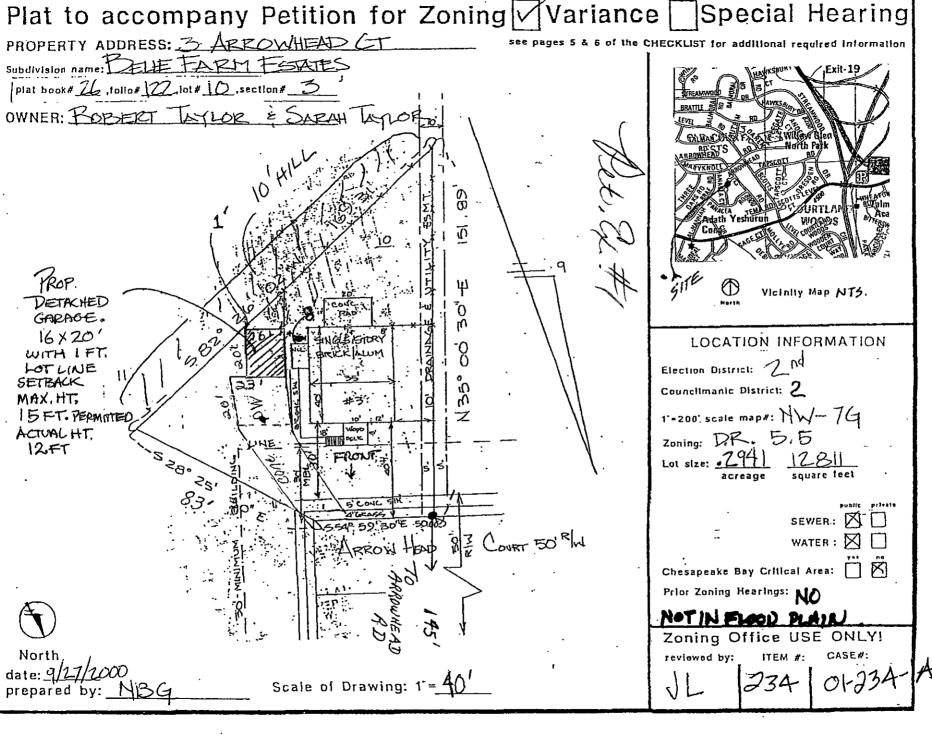
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

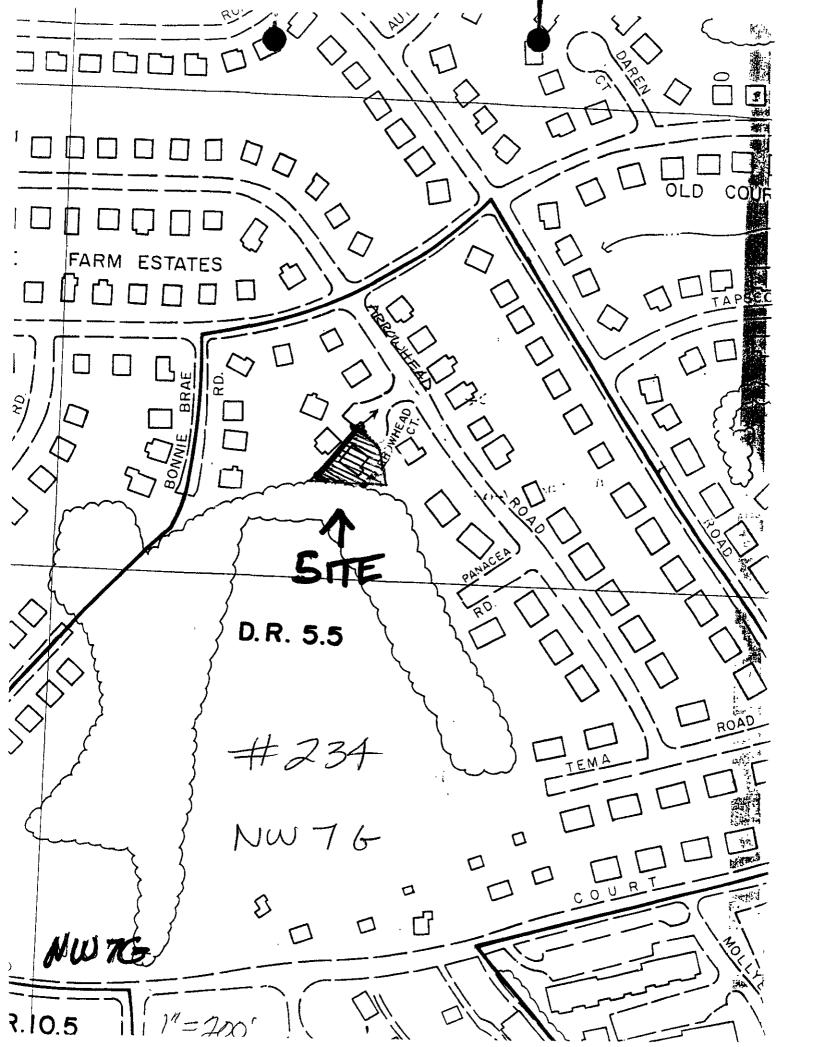
Very truly yours,

f. J. Doell

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

My telephone number is ___







234





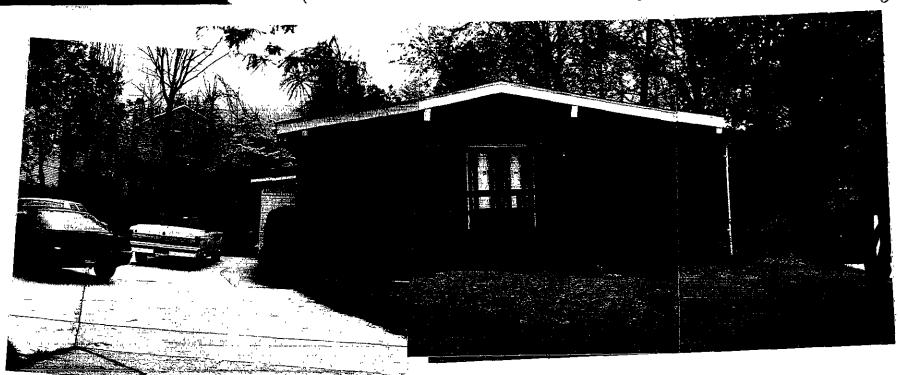
PROPOSED LOCATION





FRONT ENTRY





FRONT ENTRY

234

PROPOSED LOCATION

PROPOSEP LOCATION &
ABACENT PROPERTY

234



PROPOSED LOCATION & SIDE ELEVATION

