

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Lake Falls Road, 510' N		
centerline of Lake Avenue	*	DEPUTY ZONING COMMISSIONER
9th Election District		
4th Councilmanic District	*	OF BALTIMORE COUNTY
(1223 Lake Falls Road)		
	*	CASE NO. 01-235-A
Lynn and Mark Warns, Sr.		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Lynn and Mark Warns, Sr. The variance request is for property located at 1223 Lake Falls Road in the Lake Roland area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 3 ft. in lieu of the required 10 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

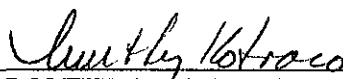
11/3/01
J. P. [Signature]

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 3rd day of January, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 3 ft. in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

1/3/01
R. J. Jenson



Baltimore County
Zoning Commissioner

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

January 3, 2001

Mr. & Mrs. Mark S. Warns, Sr.
1223 Lake Falls Road
Baltimore, Maryland 21210

Re: Petition for Administrative Variance
Case No. 01-235-A
Property: 1223 Lake Falls Road

Dear Mr. & Mrs. Warns:

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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1223 LAKE FALLS ROAD
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) 1302.3.C.1 to allow an

addition with a side yard setback of 3 feet in lieu of the required 10 feet

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

Property is to be posted and advertised as prescribed by the zoning regulations.

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

MARK S. WARNS, SR.
Name - Type or Print _____

Mark Warns
Signature _____

LYNNE WARNS
Name - Type or Print _____

Lynne Warns
Signature _____

1223 LAKE FALLS ROAD 410-377-3551
Address _____ Telephone No. _____

BALTIMORE MD 21210
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Reviewed By RTD Date 12-8-00

Estimated Posting Date 12/17/00

CASE NO. 01-235-A

REV 9/15/98

ORDER RECEIVED FOR FILING
1/3/01
Date
By

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

1223 LAKE FALLS ROAD

Address

BALTIMORE, MD

City

State

21210

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

ADDING AN ADDITION TO PROPERTY WHICH WILL EXPAND TO THE SIDE.
WE DON'T WANT TO EXPAND TO THE BACK BECAUSE WE DON'T WANT
TO LOSE THAT PART OF THE YARD. SIDE WAYS EXPANSION WOULD BE
BETTER SINCE THERE IS NO IMMEDIATE NEIGHBOR ON THAT SIDE
OF THE HOUSE.

REQUESTING A VARIANCE TO THE SIDE SET BACK OF 3' IN LIEU
OF REQUIRED 10'.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Lynne Warns

Name - Type or Print

Lynne Warns

Signature

Mark Warns

Name - Type or Print

MARK WARNS

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of November, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Lynne Warns & Mark S. Warns Sr.
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date

November 17, 2000

Notary Public

My Commission Expires

May 1, 2004

ZONING DESCRIPTION

Zoning Description For: 1223 LAKE FALLS ROAD

Beginning at a point on the SOUTH side of
(north,south,east or west)

LAKE FALLS ROAD which is 52 FEET
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 510 NORTH of the
(number of feet) (north,south,east or west)

centerline of the nearest improved intersecting street LAKE AVENUE
(name of street)

which is 16' wide. *Being Lot # 13 .
(number of feet of right-of-way)

Block , Section # in the subdivision of LAKE FALLS

as recorded in Baltimore County Plat Book # 14 , Folio # 18 ,

containing 5,418 SF . Also known as 1223 LAKE FALLS ROAD
(square feet or acres) (property address)

and located in the 9th Election District, 4th Councilmanic District.

235

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **85665**

DATE 12/3/00 ACCOUNT R001 61512
AMOUNT \$ 50 -

RECEIVED FROM: Mark Davis

FOR: Leasing case # 01-235-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTION	TIME
12/03/2000	12:00/500	12:00:50
1ST DEPT	CASHIER	DOH DOR GRAMER
DEPT	5	578 70 105 VERIFICATION
Receipt #	61512	0311
CR NO.	005635	

Print Tot 50.00
100 00 50.00 00
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 01-235-A

Petitioner/Developer: MARK WARNS

Date of Hearing/Closing: 01/01/01

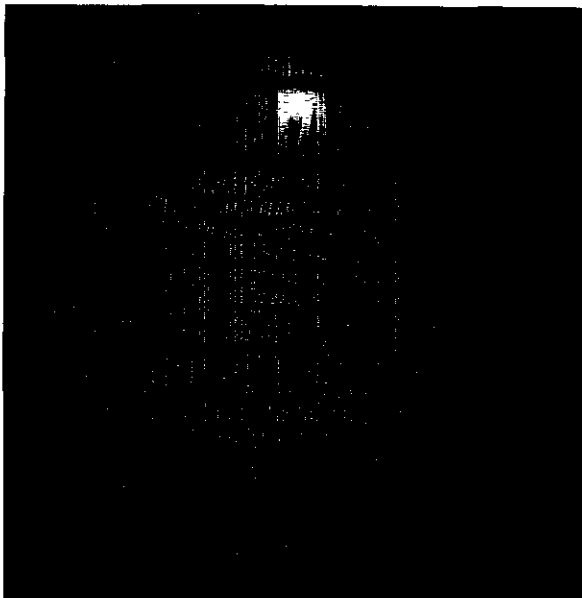
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

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 1223 LAKE FALLS Rd

The sign(s) were posted on 12 17 2000
(Month, Day, Year)



Sincerely,

SSG Robert Black 12 Dec 2000
(Signature of Sign Poster and Date)

SSG Robert Black
(Printed Name)

1508 Leslie Road
(Address)

Dundalk Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 01235-A

Petitioner: MARK & LYNNE WARNS

Address or Location: 1223 LAKE FALLS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARK WARNS

Address: 1223 LAKE FALLS ROAD

BALTIMORE, MD 21210

Telephone Number: 410-377-3551

Revised 2/20/98 - SCJ

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
 acreage square feet

SEWER: ☐ public ☐ private

WATER: ☐ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



North

date: _____

prepared by: _____ Scale of Drawing: 1"= _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 235 -A Address 1223 Lake Falls Rd
Contact Person: R. David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/8/00 Posting Date: 12/17/00 Closing Date: 1/1/01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 01- 235 -A Address 1223 Lake Falls Rd
Petitioner's Name Mark Warns Telephone 410 377 3551
Posting Date: 12/17/00 Closing Date: 1/1/01
Wording for Sign: To Permit an addition with a side yard setback of 3 feet
in lieu of the required 10 feet



Baltimore County
Department of Permits and
Development Management

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

January 2, 2001

Lynn & Mark S. Warns, Sr.
1223 Lake Falls Road
Baltimore, MD 21210

Dear Mr. & Mrs. Warns, Sr.:

RE: Case Number: 01-235-A, 1223 Lake Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 8, 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.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 18, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau 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



Baltimore County
Fire Department

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

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



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on Recycled Paper

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

AV
111

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

JAN - 3

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

DATE: January 2, 2000

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: Mark A. Cunningham

Section Chief: Jeffrey W. Long

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. 235

DD

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

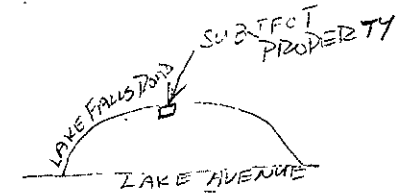
PROPERTY ADDRESS: 1223 LAKE FALLS ROAD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LAKE FALLS

plat book # 14, folio # 18, lot # 13, section #

OWNER: MARK + LYNN WARENS



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 9th
Councilmanic District: 4th
1"=200' scale map #: NW 7 B
Zoning: DR 5.5
Lot size: .124 acreage 5,418 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

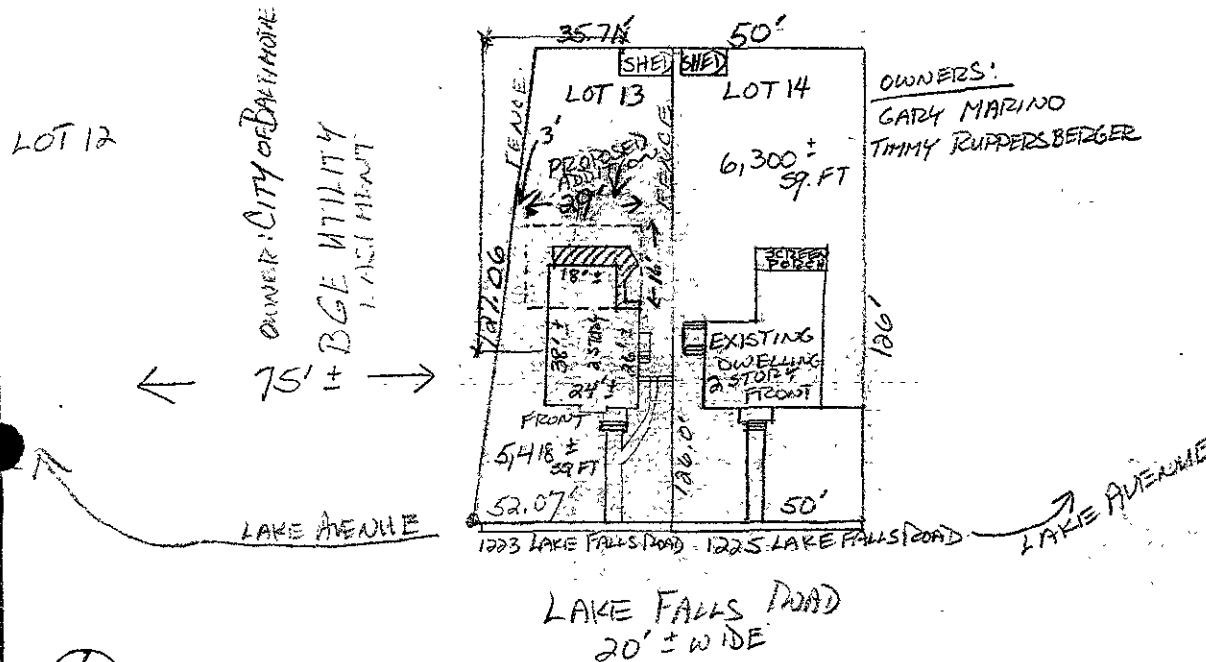
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

NONE

Zoning Office USE ONLY!

reviewed by: RDD ITEM #: 235 CASE #: 01-235-A

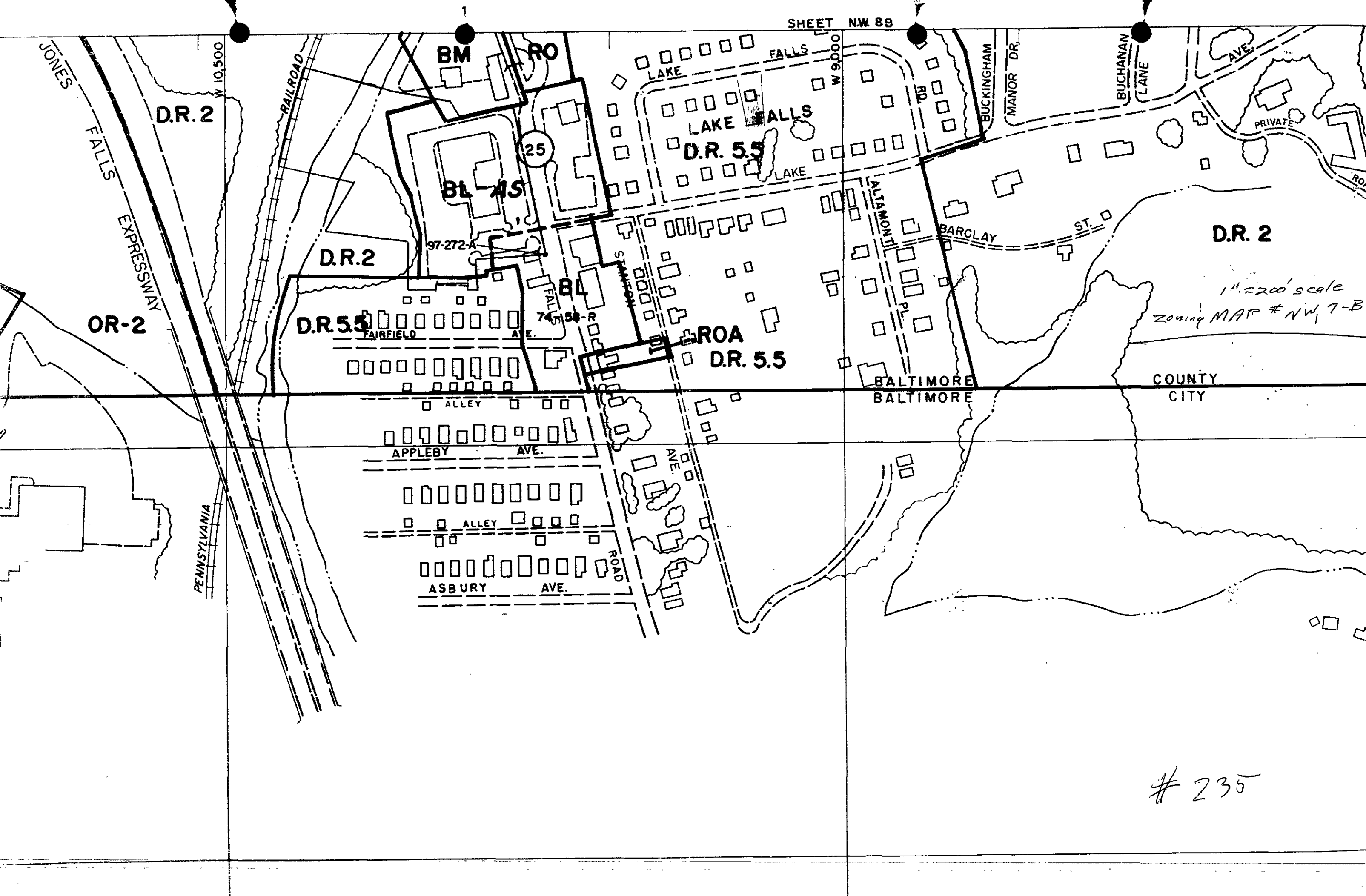


North

date: 12/7/00

prepared by: MARK WARENS

Scale of Drawing: 1"= 50'



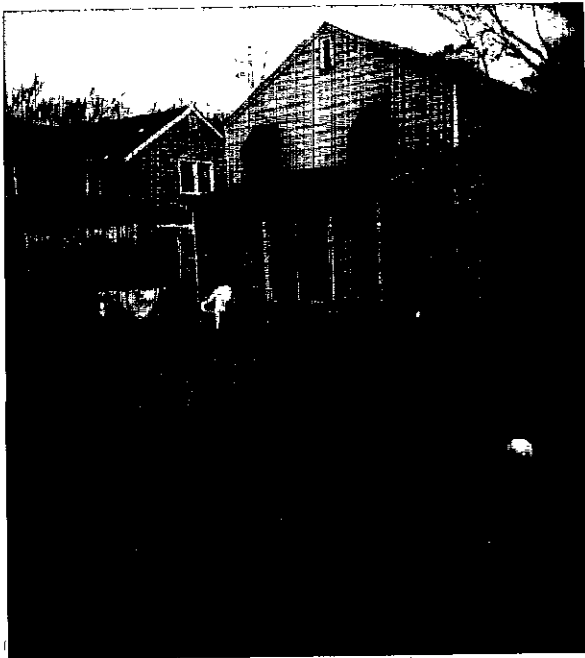
235



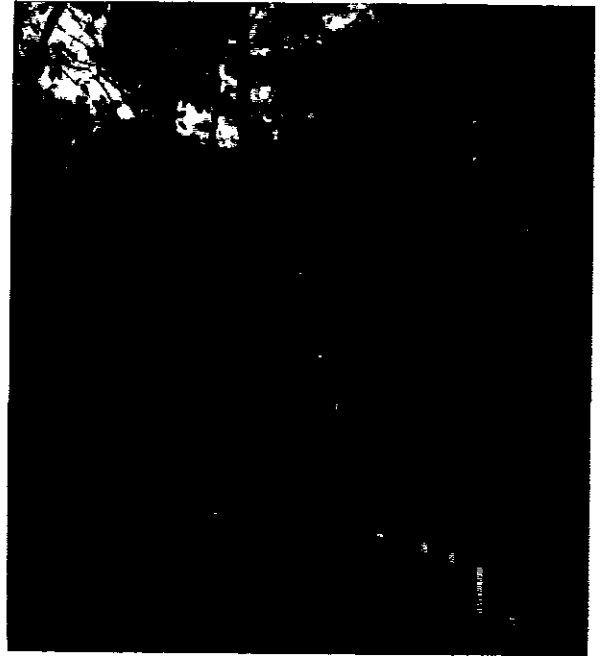
VIEW FROM OF YARD CLOSE TO
NEXT DOOR NEIGHBOR'S LOT #14



VIEW FROM BACK YARD ON SIDE OF
HOUSE NEXT TO UTILITY EASEMENT



VIEW FROM UTILITY EASEMENT ON
SIDE OF HOUSE WHERE REQUESTING
VARIANCE



VIEW FROM FRONT YARD AT SIDE OF
HOUSE VARIANCE IS REQUESTED

THE UNIQUE PROPERTY LINE THAT NARROWS ON THE SIDE OF THE HOUSE WHERE REQUESTING THE VARIANCE ON LET'S US MAXIMIZE THAT PART OF THE YARD WHERE IT'S AT IT'S WIDEST. IT NARROWS GOING TO THE BACK OF THE YARD.

THE PRACTICAL DIFFICULTY OF THE LAYOUT OF THE LOT WOULD MINIMIZE ANY IMPACT THIS VARIANCE WOULD HAVE ON ANYONE, SINCE WE HAVE NO NEIGHBOR ON THAT IMMEDIATE SIDE OF THE HOUSE.

NOT BEING ABLE TO PUT THIS ADDITION ON WITH THE VARIANCE AS REQUESTED WOULD POST SEVERAL HARDSHIPS.

- 1) EXPANDING FAMILY.
- 2) NEED FOR HOME OFFICE SPACE AS THE TECHNOLOGY DEVELOPMENTS CREATE A VERY REAL NEED FOR THAT CAPABILITY IN INDUSTRY I'M IN.
- 3) WITH BOTH OUR PARENTS AGING, HAVING ONE OF THEM NEEDING TO LIVE WITH US BECOMES MORE AND MORE A POSSIBILITY.

235



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

LOCATION

LAKE ROLAND
AREA

SCALE

1" = 200' ±

DATE

OF
PHOTOGRAPHY
JANUARY
1986

SHEET

NW
7-B

MICROFILMED

235