IN RE: PETITION FOR ADMIN. VARIANCE S/S of Windsor Road, 320' W

centerline of Sudbrook Road

4th Election District

2nd Councilmanic District

(1017 Windsor Road)

Jeff and Ellen Spokes

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 01-358-A

. * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Jeff and Ellen Spokes, legal owners of that property known as 1017 Windsor Road in the Pikesville area of Baltimore County. The Petitioners herein seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 30 ft. in lieu of the required 50 ft. for an addition. 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.

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 Aday of April, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 30 ft. in lieu of the required 50 ft. for an addition, 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

Date Herewith FOR FLING

19 A Property And A Property A Property And A Property And A Property And A Property A



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

Fax: 410-887-3468

April 12, 2001

Mr. & Mrs. Jeff Spokes 1017 Windsor Road Baltimore, Maryland 21208

Re: Petition for Administrative Variance

Case No. 01-358-A

Property: 1017 Windsor Road

Dear Mr. & Mrs. Spokes:

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.

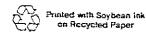
Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

luthy llotroco

TMK:raj Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	and commissioner of Battimore County
for the pro	operty located at 1017 Windsor Road
	which is presently zonedDR-1
This Petition shall be filed with the Department of owner(s) of the property situate in Baltimore County an made a part hereof, hereby petition for a Variance from a rear yard set back of the county of the property of the	Permits and Development Management. The undersigned, legal and which is described in the description and plat attached hereto and is Section(s) 1802.3. C. I & BCCR, To Permit 30 feet for an addition in
of the zoning regulations of Baltimore County, to the zo of this petition form.	oning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed bill, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted pursuits of the property of t	no nosting etc and further agree to and are to be bounded by the sering
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print Signature	Jeff Spokes Name - Type or Finit Signature
Address Telephone No.	Ellen Spokes Name - Type or Print Sellen Jacks
City State Zip Code	e Signature
Attorney For Petitioner:	1017 Windsor Road 410-486-1625 Address Telephone No.
Name Type or Print	Baltimore, MD 21208 City State Zip Code
Signature Company	Representative to be Contacted: Same
Address Telephone No.	
City State Zip Code	e State Zip Code
aguiations of Baltimore County and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County, fer of this petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Baltimore County
CASE NO. 01-358-A	~
REV 9115!95	Reviewed By Date 3:13- Estimated Posting Date 3-25-6

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 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.

Address

City

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

1017 Windsor Road

State

Zip Code

Baltimore, MD

That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upon which I/we base the request for an Administrative ip or practical difficulty):
not accommodate a floor plan that necessary approvals from our neight and rear of our lot (shown on the	mily, we have been forced to pursue adding a family room of our home is approximately 100 years old, which does is conducive to raising children. We have obtained all borhood association. Our home is situated to the right site plan submitted). Due to the location of our home ear property setback to construct our family room addition
requesting will not hamper neighborgone to great lengths to architect the services of an architectual fit	e sizes of lots in our subdivision, the relief we are rs views or impact them in any negative fashion. We have ually blend the new structure with the existing by hiring rm. We would greatly appreciate your consideration of ariance of 30' setback in lue of the required 50' County Zoning Regulations.
That the Affiant(s) acknowledge(s) that if a f	formal demand is filed, Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide	additional information.
X Tell Soutes	* Ellen Spakes
Signature	Sighature
Jeff Spokes	Ellen Spokes
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:
I HEREBY CERTIFY, this $8th$ day of M of Maryland, in and for the County aforesaid, p	arch , 2001 , before me, a Notary Public of the State ersonally appeared
Jeff & Ellen Spokes	
the Affiant(s) herein, personally known or sati- law 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	V HA June 1
3/8/01	mujer and
Date	Notary Public My Commission Expires 5/4/04
	My Commission Expires
mOn palacies	N

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

1017 Windsor Road Address

<u> </u>	Baltimore, MD	21208	
City		State	Zip Code
That based upon personal knowledge, the following a Variance at the above address (indicate hardship or p	are the facts upon w ractical difficulty):	hich I/we base the requ	uest for an Administrative
Due to the needs of our growing family, to the rear of our home. The age of our not accommodate a floor plan that is connecessary approvals from our neighborhound rear of our lot (shown on the site we would need a variance for the rear property of the sear property of the search of	r home is appro nducive to rais od association, plan submitted)	eximately 100 years sing children. We Our home is situation. Due to the location.	s old, which does have obtained all uated to the right ation of our home
It is our hope that given the large size requesting will not hamper neighbors viegone to great lengths to architectually the services of an architectual firm. To our hardship and will grant us a variance as outlined in the DR-1 Baltimore County	ews or impact t blend the new We would greatl ce of 30' setba	them in any negati structure with the y appreciate your ack in lue of the	ve fashion. We have e existing by hiring consideration of
That the Affiant(s) acknowledge(s) that if a formal of advertising fee and may be required to provide addition and the second se	nal information. Signature E1	fiant(s) will be required Spokes	I to pay a reposting and
	reame - 1 y	be of 1 till	
STATE OF MARYLAND, COUNTY OF BALTIMORE,	, to wit:	_	
I HEREBY CERTIFY, this 8th day of March of Maryland, in and for the County aforesaid, personal		2001 , before me, a	Notary Public of the State
Jeff & Ellen Spokes			
the Affiant(s) herein, personally known or satisfactoril law that the matters and facts hereinabove set forth ar	y identified to me a e true and correct to	s such Affiant(s), and rother their	nade oath in due form of ir knowledge and belief.
AS WITNESS my hand and Notarial Seal		11/10	
3/8/01 Date	- Ann	6 6 / Com	nds
Date	Notary Public	//	10.
	My Commission	Expires5/4/	/04
REV 09115/98		•	



CASE NO. 01-358 A

REU 9/15/95

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

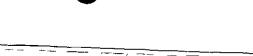
The same of the sa	to the Loning	1017 W. 1	•
	for the propert	which is presently zoned	
owners) of the broberty simple	In Baltimore Collany and wh	nits and Development Management. ich is described in the description and plation(s)/BO2.3, C./; BCZR, ft. feet FOR AN A	The undersigned, legal
A KEAR YARD S	= REQUIRED S	soft.	MOTTICA
M LIEU OF TH		3 - 1 - 1	
of the zoning regulations of Balti of this petition form.	imore County, to the zoning	law of Baltimore County, for the reasons	s indicated on the back
Property is to be posted and adv 1, or we, agree to pay expenses of regulations and restrictions of Baltin	above Variance, advertising inc	e zoning regulations. osting, etc. and further agree to and are to b to the zoning law for Baltimore County.	e bounded by the zoning
		I/We do solemnly declare and affirm, uperjury, that I/we are the legal owner(s is the subject of this Petition.	
Contract Purchaser/Lessee	5.	Legal Owner(s):	
Name - Type or Print		Jeff Spokes Name - Type of Print	
Signature		Signature	
Address	Telephone No.	Ellen Spokes Name - Type or Print	
City	State Zip Code	Signature	
Attorney For Petitioner:		Address	410-486-1625 Telephone No.
Name - Type or Print		Baltimore, MD 21208 City Sta	ate Zip Code
Signature		Representative to be Contact	ed:
oignature , , , , , ,		SAME	
Company	——————————————————————————————————————	Name	
Address	Telephone No.	Address	Telephone No.
City	State Zip Code	City Sta	ate Zip Code
A Public Hearing having been formal his day of day of eguiations of Baltimore County and that	that the subject matter of t	e required, it is ordered by the Zoning Commission this petition be set for a public hearing, advertised	sioner of Baltimore County, I, as required by the zoning
urmanarysesu 1100 etimosys i murmanari urmanari sa sasana ya masa kasa sasana ya sasana sa sasan sa sa sa sa s		Zoning Commissioner of Baltimor	re County

Reviewed By

Estimated Posting Date

Zoning Description:

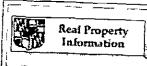
Zoning Description for 1017 Windsor Road
Beginning at a point on the Control South Side of (North, South, East, West)
Windsor Road which is 30 Feet +/- of the (number of feet of right of way width)
wide at the distance of 320 Feet West of the (number of feet) (North, South, East, West)
centerline of the nearest improved intersecting street Sudbrook Road (name of street)
which is 30 Feet +/- wide. *Being Lot# X. Tax Map 78 (number of fee of right of way width) Grid 8 Parcel 169
Block, Section # in the subdivision of _sudbrook
as recorded in Baltimore County Plat Book # 9, Folio # 7,
containing 0.604 Acres Also known as 1017 Windsor Road
and located in the 3rd Election District, Councilman District.
Described in Liber 11779 Folio 560 Among the land records of Baltimore County, Maryland (Copy Attached)



Report







Maryland Department of Assessments and Taxation Real Property System

[Go Back]

BALTIMORE COUNTY

[Start Over]

DISTRICT: 03 ACCT NO: 0302048840 Owner Information

Owner Name:

SPOKES JEFFREY D

SPOKES ELINOR KOTZEN

Use: RESIDENTIAL

Mailing Address:

1017 WINDSOR RD

BALTIMORE MD 21208-4763

Principal Residence: YES

Transferred

Deed Reference:

From: KLEIN JOSEPH, 3RD

1)/11779/559

2)

Date: 09/04/1996 Price: \$215,000

Special Tax Recapture:

* NONE *

Tax Exempt: NO

Location Information [View Map]

Premises Address:

Zoning: Legal Description:

1017 WINDSOR RD

604 AC SS WINDSOR R

1017 WINDSOR RD

411 W SUDBROOK ROAD Map Grid Parcel Subdiv Sect Block Lot Group

78 8 169

Plat No: X 81 Plat Ref:

Special Tax Areas Town:

Ad Valorem:

Tax Class:

Primary Structure Data

Year Built:

Enclosed Area: Property Land Area: County Use:

1895

3,634 SF

26,560.00 SF

04

Value Information

Base Value Current Value Phase-in Value Phase-in Assessments

As Of As Of As Of As Of 01/01/1999 07/01/2001 07/01/2000 07/01/2001 33,640

Land: 33,640 Impts: 149,620 Total:

Pref Land:

173,240 183,260

206,880

206,880 79,600

206,880

Partial Exempt Assessments

	Code	07/01/2000	07/01/2001
County	000	0	
State	000	0	0
Municipal	- -	Ü	0
Monticipal	000	- 0	0

No. 93026	To be a manufacture to the control of the control o				CASHIER'S VALIDATION
No.	CE19-900-100	50.02 0 associed Ciol			OMER J. C. A.
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	ACCOUNT	AMOUNT \$	a) HH. OAR.		PINK - AGENCY YELLOW - CUSTOMER
BALTIMOR OFFICE OF B	DATE	HECELVED) 5	*** == ===	DISTRIBUTION WHITE - CASHIER WHITE - CASHIER

CERTIFICATE OF POSTING

	RE: Case No.: <u>OI- 358- A</u>
·	Petitioner/Developer: Jeff Spokes
	Date of Hearing/Closing: 4-9-01
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	of perjury that the necessary sign(s) required by law located at 1017 Windsor Rd.
Pikesville, MD 21208	
The sign(s) were posted onMarch 2	23, 2001
	(Month, Day, Year)
	Sincerely, Stacy Stardule 3/26/01 (Signature of Sign Poster and Date)
	Stacy Gardner
	(Printed Name) SHANNON-BAUM SIGNS INC.
	105 COMPETITIVE GOALS DR. ELDERSBURG, MD. 21784

(City, State, Zip Code)

410.781.4000 (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.

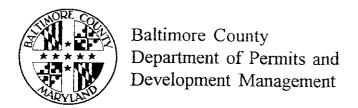
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

Fan Name A de la Caracteria	
For Newspaper Advertising:	~ = 0
Item Number or Case Number:	358
Petitioner Eff 500 Kes	
	Windson Rd. BALTO. Md. 21208
•	
PLEASE FORWARD ADVERTISING	BILL TO:
Name: SAME	
Address:	
Telephone Number:	-486-1625
(

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 358 -A Address 1017 WINDSOIZ RD.
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 3.13.01 Posting Date: 3.25 Closing Date: 4.9
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.
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.
(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 01-358 -A Address 1017 WINNSOR RS.
Petitioner's Name JEFF Spokes Telephone (410) 486-1625
Posting Date: 4-9-01 Closing Date: 4-9-01
Vording for Sign: To Permit A PEAR YARD SETRACK of 30ft.
FOR ANDITION IN LIEU of THE REQUIRED SEFT.



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

April 9, 2001

Ellen & Jeff Spokes 1017 Windsor Road Baltimore MD 21208

Dear Mr. & Mrs. Spokes:

RE: Case Number: 01-358-A, 1916 Windsor Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 13, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

W. Carl Richards, Jr.

692

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 12, 2001

Dept. of Permits & Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: No. 1017 Windsor Road

APR 1 2

INFORMATION

Item Number:

01-358-SPH

Petitioner:

Jeffrey Spokes (owner)

Zoning:

D.R. 1

Requested Action:

Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

At its February 8, 2001 meeting, the LPC reviewed the proposed addition and unanimously agreed to recommend a finding to the hearing officer that the addition was consistent with Section 26-278, must be preserved.

AFK:KA:kra



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

March 22, 2001

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 March 26, 2001

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:

357, 358, 359, 361, 362, 363

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 5, 2001

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 2, 2001

Item Nos. 357, 358, 361, 362, and 363

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

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F Williams Administrator

Date: 3.24.01

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

RE: Baltimore County

Item No. 358-

JCM

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,

1. J. Doll

l~

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley My

DATE:

March 30, 2001

SUBJECT:

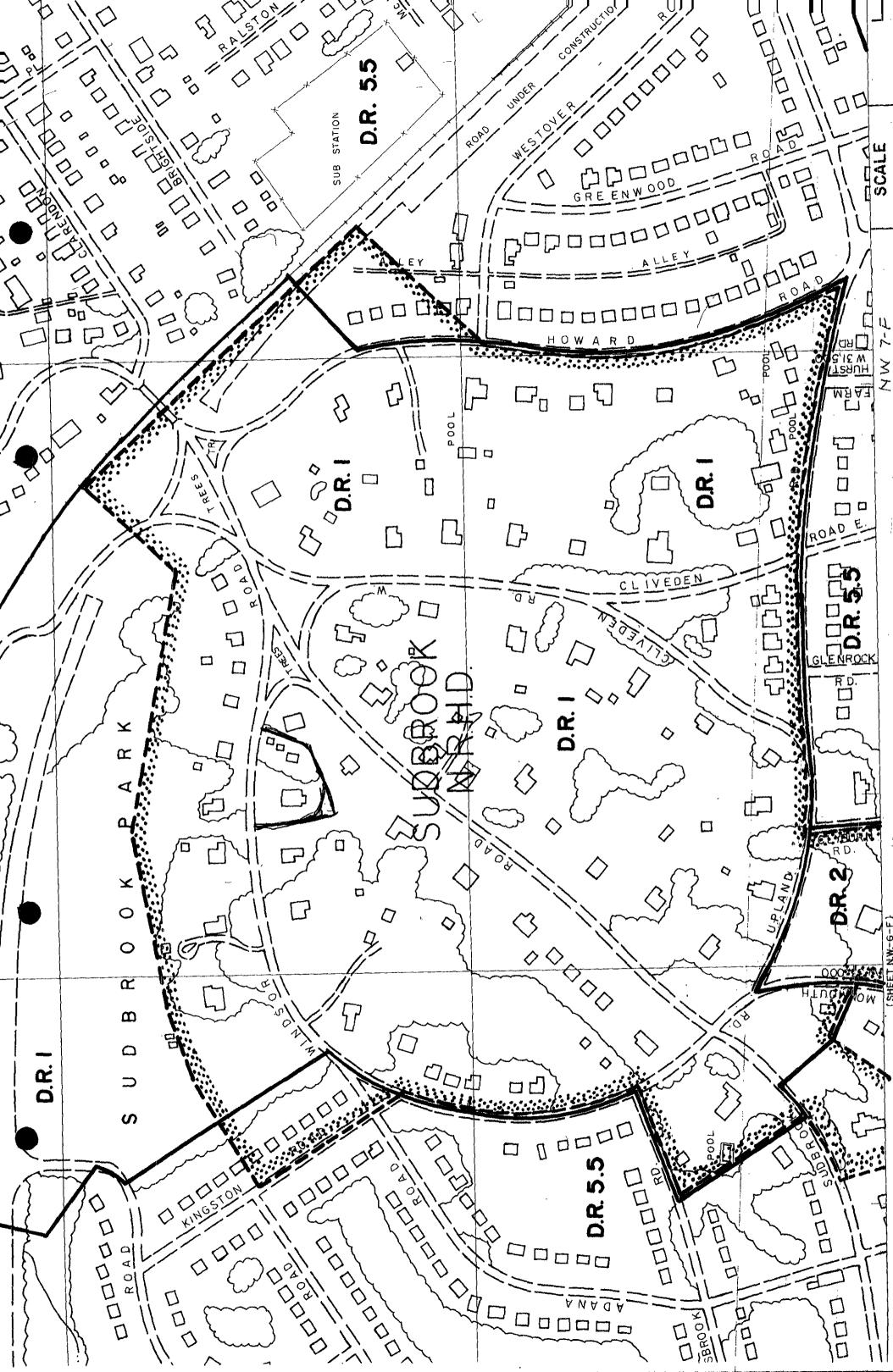
Zoning Petitions

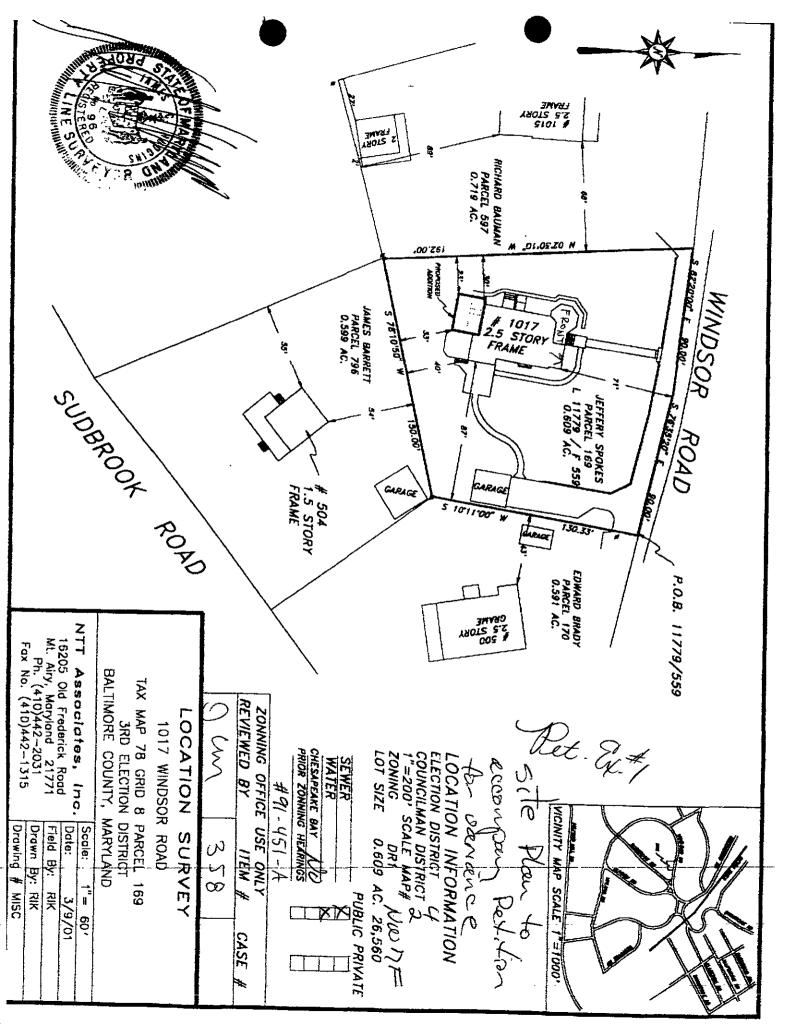
Zoning Advisory Committee Meeting of March 26, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
357	8 Turk Garth
358	1017 Windsor Road
360	Rossville Boulevard and Pulaski Highway
361	2910 Ridge Road
363	405 Crisfield Road

. .







Mike Owings Thorbs of adjacent
Properties relative to
1017 Windsor Road

SS

Views from rear deck - site where addition will be built.











View of back right corner ofhouse - backdoor heighbor's house barely visible Proximity to neighbors on right - hiost effected by addition



House rear -

backdoor heighbors house is barely visible through trees View from rear deck to neighbors on right





OFF