ORDER THE THE THE STATE OF THE

IN RE: PETITION FOR ADMIN. VARIANCE

W Cunning Circle, 245' S centerline of Eva Court 15th Election District 5th Councilmanic District

(7124 Cunning Circle)

Gerald Bratton Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 02-003-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an Administrative Variance filed by Gerald Bratton, legal owner of that property known as 7124 Cunning Circle in the Chase area of Baltimore County. The Petitioner herein seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 3.5 ft. in lieu of the required 10 ft. to construct an addition. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for 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 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.

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 Zoning Commissioner for Baltimore County this /3th day of August, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 3.5 ft. in lieu of the required 10 ft. to construct 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 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.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:raj

ORDER MELLYED FOR FILING
Date 8/3/6/



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

Fax: 410-887-3468

August 13, 2001

Mr. Gerald Bratton 7124 Cunning Circle Baltimore, Maryland 21220

Re: Petition for Administrative Variance

Case No. 02-003-A

Property: 7124 Cunning Circle

Dear Mr. Bratton:

Enclosed please find the decision rendered in the above-captioned case. 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,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure



Tinted with Soybean Ink

on Recycled Pager











Petition for Administrative Variance

to th	e Zoning (Commissione	r of Baltim	ore Count
f	or the property	located at7124	4 CUNNING C	incle
		which is preso	ently zoned D	R5.5
this Petition shall be filed with the Depa wner(s) of the property situate in Baltimore nade a part hereof, hereby petition for a Van	County and which	th is described in the de	Management. The escription and plat	attached hereto ai
side yard setback of 3	.5 feet in	lieu of the	required i	0 feet.
f the zoning regulations of Baltimore Count f this petition form.	y, to the zoning la	aw of Baltimore County,	for the reasons in	dicated on the ba
roperty is to be posted and advertised as poor we, agree to pay expenses of above Variance gulations and restrictions of Baltimore County a	ce, advertising, pos	sting, etc. and further agre to the zoning law for Baltim I/We do solemnly dec	nore County. clare and affirm, und	er the penalties of
ontract Purchaser/Lessee:		perjury, that I/we are is the subject of this F Legal Owner(s):	the legal owner(s) o Petition.	t the property which
			3047700	
ame - Type or Print		CERALD I	31411 10n	
gnature		<u>Jewle B</u> Signature	culto	
idress	Telephone No.	Name - Type or Print GERALO 13R	Attan	
ty State	Zip Code	Signature	_	4
ttorney For Petitioner:		7124 CUNNIN	4 CIRCLE	5/10 335 337 Telephone No
ame - Type or Print		BALTIMORE City	M0.	2)2226 Zip Code
gnature [Representative t	o be Contacted	<u>:</u>
mpany		Name		
dress	Telephone No	Address		Telephone No.
y 3 State	Zip Code	City	State	Zip Code
Public Hearing having been formally demanded	and/or found to be in a subject matter of the	required, it is ordered by the is petition be set for a public	ne Zoning Commission	s required

REV 9115198

Estimated Posting Date

01

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 p		A 1	ard thereto.
That the Affiant(s) does/do presently reside at	Address	ing Circle	
	BALTIMORE	MD	2(2220
That based upon personal knowledge, the folic Variance at the above address (indicate hardshift of the above address (indicate hardshift of permit A SIDE YAR TWZ Required 10'. 712 is currently 20NED Dr.5.5 Asking For A SIDE YARD SET AN EXISTING 39'X 20' & EXIST PREVENT FROM Building proper ADDITION to the SIDE	City Dwing are the facts upon hip or practical difficulty): O SET BACK OF 3 LA CUNNING CIRCLE	FEET 6 inches IN LOT 37 Block F	LIEU OF PLAT V
That the Affiant(s) acknowledge(s) that if a fe advertising fee and may be required to provide Jewell Bullow Signature	ormal demand is filed, additional information. Signatu		red to pay a reposting and
X C FRALD 13 A A TTON Name - Type or Print	Name ·	- Type or Print	
		•	
STATE OF MARYLAND, COUNTY OF BALTII	MORE to wit		
I HEREBY CERTIFY, this 26th day of by of Maryland, in and for the County aforesaid, pe		_, <u>2001</u> , before me,	a Notary Public of the State
Gerald L. Bratton	6 4 11 1-1 415 14	h A65	durada ashi in dua farra af
the Affiant(s) herein, personally known or satisfaw that the matters and facts hereinabove set	stactionly identified to me forth are true and correc	e as such Amant(s), and to the best of his/her/t	heir knowledge and belief.
AS WITNESS my hand and Notarial Seal			
·	0.1.	8 14	
6-26-01 Date	Notary Public	E. Stevens	
	My Commissi		3

My Commission Expires

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	7/24 (UNNI	ng Urcle	
	Address BALTIMORE	MO	212220
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshift) Perm IT A SIDE YARD THE REQUIRED 10'. 712 is currently 2000 Dr.5.5 ASKING FOR A SIDE YARD SET AN EXISTING 39'X 20' & EXIST PREVENT FROM BUILDING PROPES	ip or practical difficulty): 0 SET BACK OF.3 4 CUNNING CIRCLE which states SIDE y	FEET 6 inches IN LOT 37 Block F IAAN SET BACK OF 10 Check Because Reac	IEU OF PLAT V ', WE ARE
Applition to the SIDE			,
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a support of the support of th			ed to pay a reposting and
×	_		
X Q ER ALD 13 A A TTON Name - Type or Print	Name -	Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIM		2001	
of Maryland, in and for the County aforesaid, pe	rsonally appeared	, <u>a our</u> , before me,	a Notary Public of the State
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	factorily identified to me orth are true and correct	as such Affiant(s), and to the best of his/her/th	d made oath in due form of neir knowledge and belief.
AS WITNESS my hand and Notarial Seal			
6-26-01 Date	Debre &	n Expires 8-1-03	
Date	Notary Public	_	
•	My Commissio	n Expires 8-1-03	3



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	7124 CUNNING	Circle
which	is presently zoned _	DR 5.5

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

This Petition shall be filed with the Department of Permits and Development Management. 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) | BO2.3.C.1 to permit a

side yard setback of 3.5 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.

City	State	Zip Code	City	State	Zip Code
Address		Telephone No.	Address	,	Telephone No.
Company			Name		
Signature			<u> kepresentative</u>	to be Contacted:	
Name - Type or Print			City	State	Zip Code
			BALTIMORE	MQ.	2)2220
Attorney For Petitione	<u>r:</u>	-	7124 Cunn	ing Circle	4/0 335 - 3375 Telephone No.
City	State	Zip Code	Signature		
Address		Telephone No.	Name - Type or Print Geralo B	of whan	
Signature			Signature		1 1 1 1 2 201 2
Name - Type or Print			Name - Type or Print		
			CERAID	BRATTON	
Contract Purchaser/Le	essee:		Legal Owner(s	<u>):</u>	
			perjury, that I/we ar is the subject of this	e the legal owner(s) of s Petition.	the property which

regulations of Baltimore County and that the property be reposted.

REV 9/15/98

that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning

Estimated Posting Date

Zoning Commissioner of Baltimore County

The Description

Beginning AT A point on the West Side of Cunning Circle Beginning AT A point on the West Side of Cunning Circle, which is 50' wide AT the Distance of 245' south OF the Center Line of the Nearest Improved intersecting STREET EVA Court which is 50' wide. Being Lot #37 Block F Section in the subdivision of Bay Country As Recourded in Baltimore Country Plat Book #45 to 1:0 145 Containing 5940 square FEET. Also know as 7124 Cunning Circle AND LOCATED in the 15th Election District 5th Council Marrie District.

Item # co3

FFICE OF BUDGET & FINANCE	No.	,	3 3 82	PAY	HID KELELY	TINE	
ATE 7/01/61 ACCOUN	п <u> 720 г. 607</u>	61	50	IEU MOO	PT # 145815	DAD DRA	HER OF
AMOUNT	\$ 50:00	}		Belt 12 16.	5 528 20NING 4 003382 Recet To	4.5	IN : 50.00
ECEIVED GAYEL 376	lica	ı			.00 CX	: 60. 6.	.00 C .60- C
DR: Admin Var	Case # 02	<u>003</u>	-A		Baltimore County	, Maryland	I :
		;	•				
STRIBUTION HITE - CASHER PINK - AGENCY YELLOW	/ - CUSTOMER		,		CASHIER'S V	ALIDÁTION	
THE PROPERTY OF THE PROPERTY O	The state of the s					32.32	isy Tangka Tangka

.

.4

,

.

	RE: Case No.: 02-003-A
	Petitioner/Developer: GeRalD
	BRatton
	Date of Hearing/Closing: July 30 2
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 7124 Curving Cir
The sign(s) were posted on	TUIN 15 2001
	TULY 15, 2001 (Month, Day, Year)
	Sincerely,
	7/15/01
	(Signature of Sign Poster and Date)
	SSG ROBERT BLACK
And the state of t	(Printed Name)
To require	1508 Leslie Rd
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
Karama da Managara	(410) 282-7940
	(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.

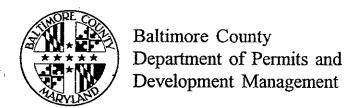
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Item Number or Case Number: 02-003-A Petitioner: GERRLD BRATTUN
Address or Location: 7/44 Cunning CIR BAL md 21220
PLEASE FORWARD ADVERTISING BILL TO: Name: CERRLD BRATTON
Address: 7/24 cunning in BALT md 21220
Telephone Number: 410 \ 335 \ 3375

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Numbe	r 0 2 -	003 -	A	Address _	7124	Cunning	Cir
Contact Pers	on:	David Planner, Ple	Duva //	me		Phone Number	Cir r: 410-887-3391 Pate: 7/30
Filing Date:	7/3	/oi	Postii	ng Date: _	7/15/01	Closing D	ate: <u>7/30</u>
Any contact through the c	made with contact pe	ith this office erson (planne	e regarding er) using the	the status case numb	of the admoder.	inistrative vari	iance should be
revers repost is aga	e side of ing must in respor ty on or	this form) a be done only sible for all	nd the petiti y by one of t associated	ioner is res the sign po costs. The	sponsible for sters on the sezoning noti	all printing/pos approved list a ce sign must b	roved list (on the sting costs. Any and the petitioner be visible on the nere through the
a form	nal reque	est for a pub	lic hearing.	Please ι	inderstand th	r owner within nat even if the closing date.	1,000 feet to file ere is no formal
commi order (typica	issioner. that the ally within	He may: (a matter be s i 7 to 10 day:	a) grant the et in for a s of the clos	requested public hea sing date) a	relief; (b) de aring. You v as to whether	eny the reques will receive wr	or deputy zoning sted relief; or (c) ritten notification as been granted, lass mail.
(wheth commi chang	ner due i issioner), ed giving I, certifica	to a neighbon notification notice of the	or's formal in will be for will be for the hearing da	request or warded to ate, time an	by order of you. The soluction. A	the zoning o sign on the p As when the si	a public hearing or deputy zoning roperty must be gn was originally be forwarded to
			(Detach	h Along Dotted Li	ne)		
Petitioner:	ſhis Part	of the Form	is for the S	Sign Poste	er Only		
		USE THE AD	MINISTRA	TIVE VARI	ANCE SIGN	FORMAT	
Case Numbe	r 0 2 - 0		Addre			nning Civ	· ·
Petitioner's N	lame	Gerald	Bratto	h	Te	lephone <u>4ю -</u>	335 3375
Posting Date		7/15/0	<i>i</i>		sing Date:	7/30	/0/
Wording for (3ign: <u></u>	o Permit <u>a</u>	side yo	ard setb	ack of	3.5 feet	in lieu of
1 1	equir	3)					



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

August 1, 2001

Gerald Bratton 7124 Cunning Circle Baltimore MD 21220

Dear Mr. Bratton:

RE: Case Number: 02-003-A, 7124 Cunning Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 3, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection	
and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake	
Bay Critical Area (CBCA)	410-767 -44 89
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richard, Jr.

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: August 20, 2001

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting For August 6, 2001

Item Nos. 514, 001, 002, 003, 005, 006, 007, 008, 010, 011, 012, and 015

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

RWB:HJO:jrb

cc: File



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

August 7, 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 July 30, 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:

001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, and 015

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 10, 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-003, 02-004 & 02-005

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: Mast-A Cum

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: 8-6.01

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

Item No. 003 & 200

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. f. soll

for

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

THOMAS P. CONROY

7122 Cunning Circle Baltimore, Maryland 21220 410-344-0660 (Home)

Tom7122@peoplepc.com

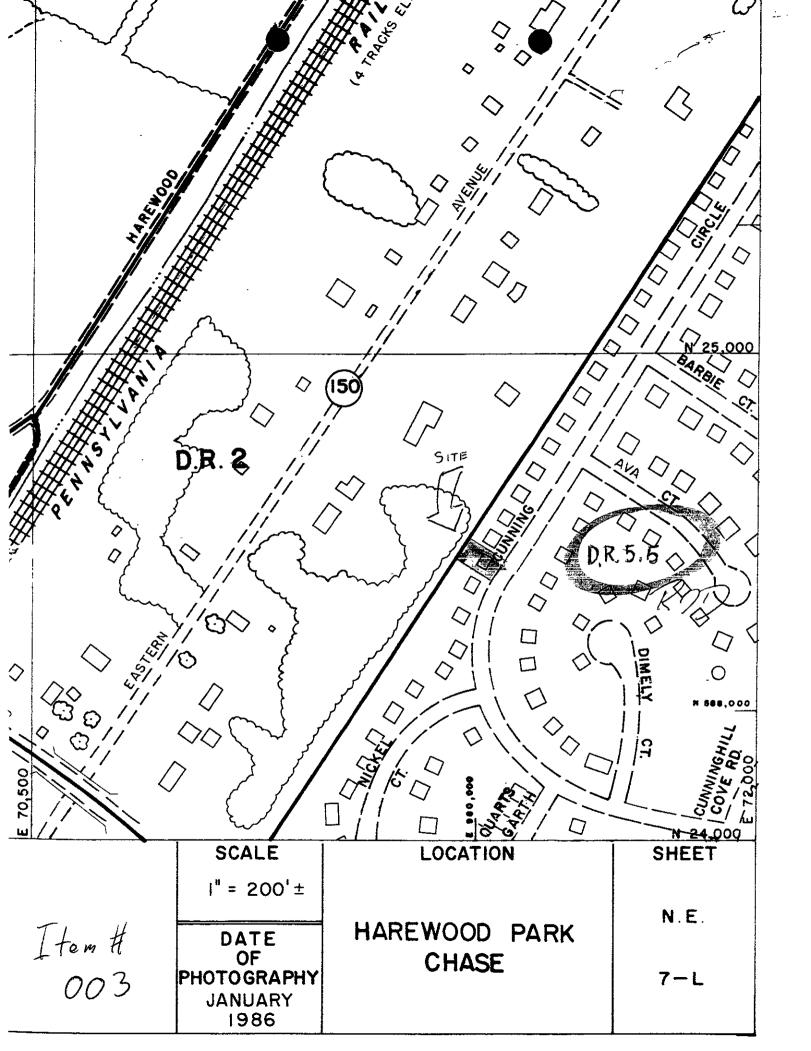
June 20, 2001

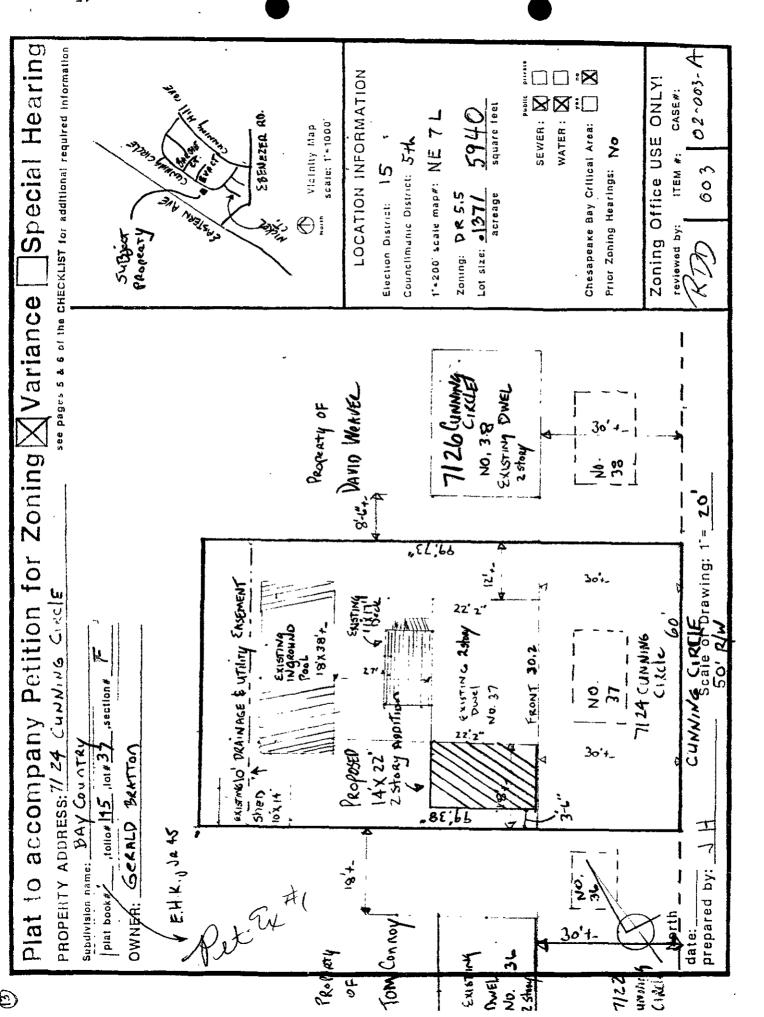
Baltimore County Zoning Board,

I have spoken with my neighbor, Jerold Bratton, 7124 Cunning Circle who has explained the addition planned for his home and the required variance needed. My understanding is that the proposed addition will lie 3'10" from my property line. I have no concern with this in any way and suggest that the proposed construction be allowed to go forth as needed.

Sincerely,
Thomas P. Conroy
Thomas P. Consol

Item # 603



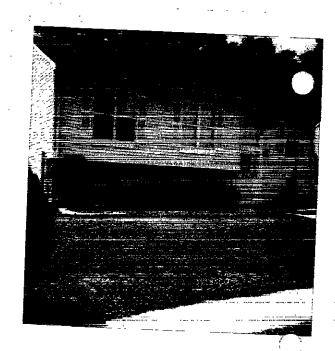




7124 Item #003



7122 Item # 003



7124 Item #003



9

CHASE

