

IN RE: PETITION FOR ADMIN. VARIANCE
SE/S Hyde Park Road, at corner nearest
intersection with Kent Road
15th Election District
5th Councilmanic District
(703 Hyde Park Road)

Vernon A. Cooper, Sr.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-007-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, Vernon A. Cooper, Sr. The variance request is for property located at 703 Hyde Park Road in the Essex 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 an accessory structure (swimming pool) to be located in the side yard and outside of the one third of the lot furthest removed from any street in lieu of the rear yard and in the one third area furthest from any street. 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

ORDER RECEIVED FOR FILING

Date

7/31/01

By

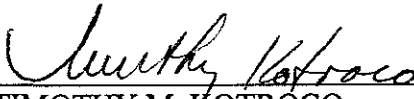
J. P. Harrison

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 Deputy Zoning Commissioner for Baltimore County this 31st day of July 2001, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (swimming pool) to be located in the side yard and outside of the one third of the lot furthest removed from any street in lieu of the rear yard and in the one third area furthest from any street, 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 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 7/31/01
By [Signature]



Baltimore County
Zoning Commissioner

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

July 31, 2001

Mr. Vernon A. Cooper, Sr.
703 Hyde Park Road
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 02-007-A
Property: 703 Hyde Park Road

Dear Mr. Cooper:

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

c: Mr. Robert Infussi
P. O. Box 1043
Bel Air, MD 21014



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
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 703 Hyde Park Road
which is presently zoned Residential DR5.5

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) 400.1 BCZR TO PERMIT A

PROPOSED ACCESSORY STRUCTURE (SWIMMING POOL) TO BE LOCATED IN SIDE
YARD AND OUTSIDE OF THE ONE THIRD OF THE LOT FURTHEST REMOVED FROM ANY
STREET IN LIEU OF REAR YARD AND IN THE ONE THIRD AREA FURTHEST FROM ANY
STREET.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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

CASE NO. 02-007-A

Reviewed By JL Date 7/05/01

Estimated Posting Date 7/15/01

REC'D 9/15/98

F.O.A.

ORDER RECEIVED FOR FILING

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 703 Hyde Park Road
Address
Baltimore md 21221
City State 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):

The need for the installation of a swimming pool. Given the location of the house and storage shed plus back porch and patio it is with great sincerity that we must locate the pool on the side of the house. Please see the attached plan.
Thank you.

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

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of JUNE, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

June 23, 2001
Date

Notary Public

My Commission Expires

JUNE 2005

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 703 Hyde Park Road
Address
Baltimore MD 21221
City State 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):

The need for the installation of a swimming pool. Given the location of the house and storage shed plus back porch and patio it is with great sincerity that we must locate the pool on the side of the house. Please see the attached plan.
Thank you.

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

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of June, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

June 23, 2001
Date

Notary Public

My Commission Expires

June 2005



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 703 Hyde Park Road
which is presently zoned Residential DR5.5

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) 400.1 BCZR TO PERMIT A PROPOSED ACCESSORY STRUCTURE (SWIMMING POOL) TO BE LOCATED IN SIDE YARD AND OUTSIDE OF THE ONE THIRD OF THE LOT FURTHEST REMOVED FROM ANY STREET IN LIEU OF REAR YARD AND IN THE ONE THIRD AREA FURTHEST FROM ANY STREET.

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):

Vernon A. Cooper Sr.
Name - Type or Print

Vernon G. Cooper Jr.
Signature

Name - Type or Print

Signature

703 Hyde Park Rd 910-
Address 687-5831
Telephone No.

Balto. md
City State

21221
Zip Code

Representative to be Contacted:

Robert Infussi
Name

P.O. Box 1043 910-
Address 812-2236
Telephone No.

Bel Air md
City State

21014
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

CASE NO. 02-007-A

Reviewed By JL Date 7/05/01

Estimated Posting Date 7/15/01

REU 9/15/98

F.O.A.

ZONING DESCRIPTION

Zoning Description For 703 Hyde Park Road

Beginning at a point on the SOUTHEAST side of HYDE PARK ROAD
Which is 50 feet wide at the corner the nearest improved intersection street KENT
ROAD, which is 50 feet wide. Being lot # 226 in the subdivision of HYDE
PARK as recorded in Baltimore
County Plat Book # 9, Folio # 59 containing 12,109 square feet. Also known as
703 Hyde Park Road and located in the 15th Election District, 5th
Councilman District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

3334

JL 007

DATE

7/05/01

ACCOUNT

001-006-6150

AMOUNT

\$ 50.00

RECEIVED

FROM:

B: INFUSI

FOR:

RV FILING

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
7/06/2001 7/05/2001 15:27:53

REQ MS05 CASHIER WSTE MES DRAWER 5

RECEIPT # 218508 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 003334

Recpt Tot 50.00

50.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-007-A

Petitioner/Developer: VERNON

COOPER

Date of Hearing/Closing: JULY 30, 2001

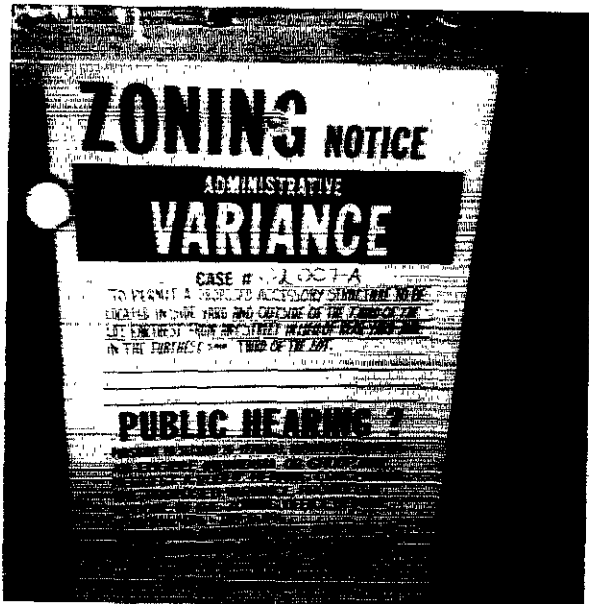
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 703 HYDE PARK RD

The sign(s) were posted on JULY 6, 2001
(Month, Day, Year)



Sincerely,

[Signature] 7/6/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

(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: 02-007-A

Petitioner: COOPER

Address or Location: 703 HYDE PARK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Vern Cooper

Address: 703 Hyde Park Rd.

Baltimore Md. 21221

Telephone Number: 410 687-5831

CALLER ADVISED
MR. LEWIS
02-007-A

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 007 -A Address 703 HYDE PARK RD.

Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/05/01 Posting Date: 7/15/01 Closing Date: 7/30/01

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 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.
- 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 02- 007 -A Address 703 HYDE PARK RD.

Petitioner's Name VERNON COOPER Telephone 410-687-5831

Posting Date: 7/15/01 Closing Date: 7/30/01

Wording for Sign: TO PERMIT A PROPOSED ACCESSORY STRUCTURE TO BE LOCATED IN SIDE YARD
AND OUTSIDE OF THE THIRD OF THE LOT FARTHEST FROM ANY STREET IN LIEU OF REAR YARD
AND IN THE FURTHEST SAID THIRD OF THE LOT

GEORGE THIS WILL PROBABLY BE POSTED EARLIER
THAN THE 15TH PER AN ONCE 15 DAYS POSTING ELAPSES, PROCESS IT TO Z.C.

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



Baltimore County
Fire Department

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

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



7/31 AV

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 10, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 703 Hyde Park Road

INFORMATION:

Item Number: 02-007

Petitioner: Vernon A. Cooper

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning conducted a site visit of the subject property which revealed that the subject swimming pool is already installed and is in clear view of the adjacent property. The petitioner should screen the pool from the adjacent property by planting a double row of evergreens.

Prepared by:

Mark A. Cunniff

Section Chief:

Gary L. Kerns

AFK: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. 007 JL

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,

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

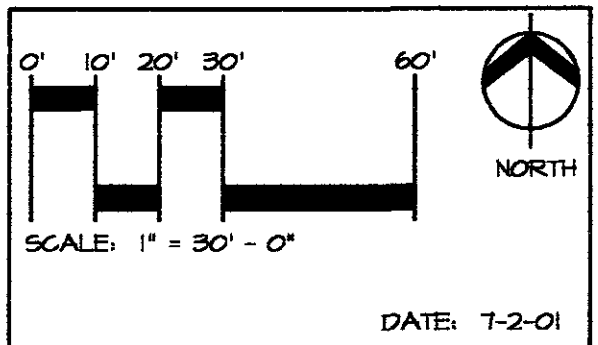
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



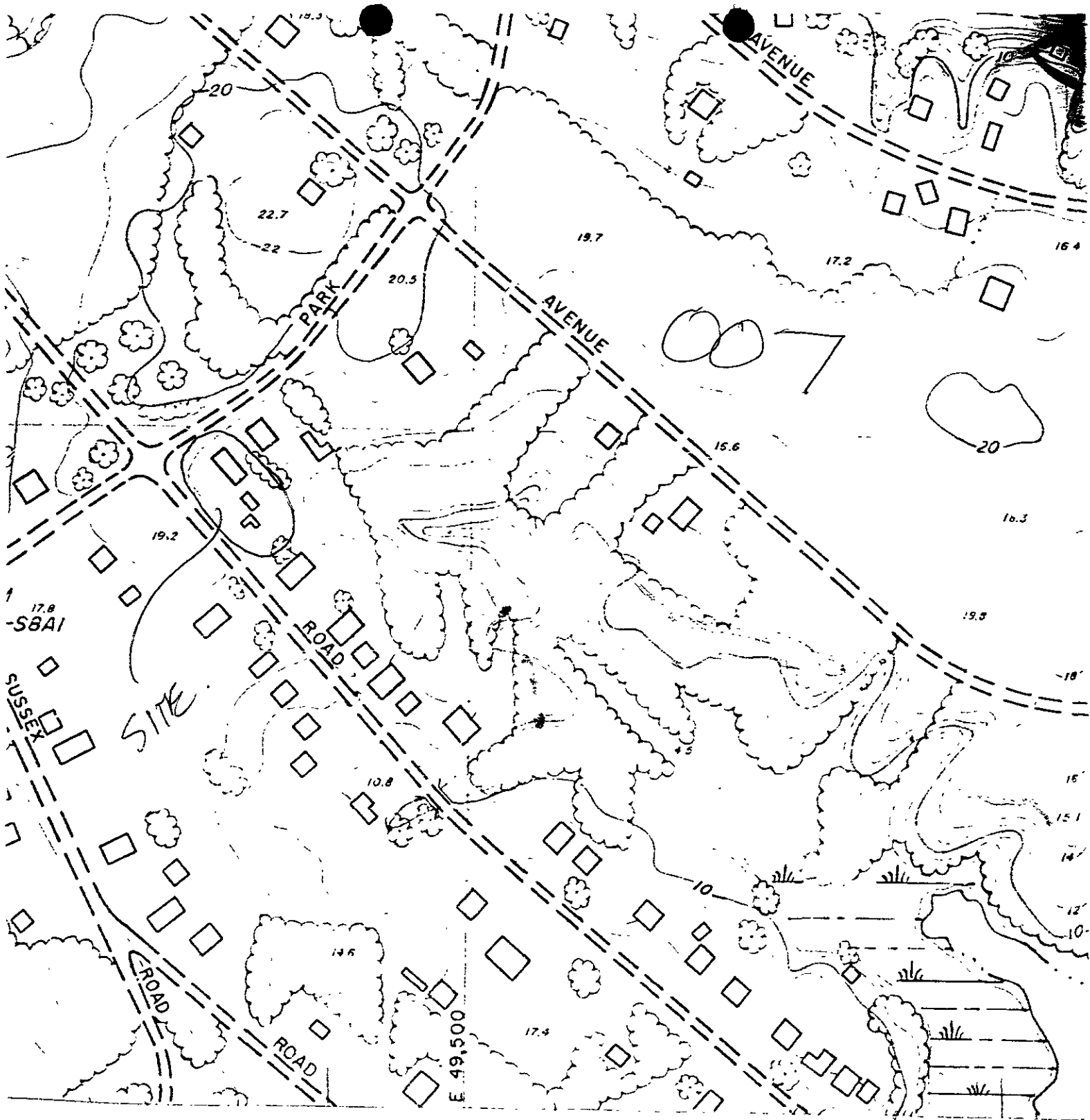
703 HYDE PARK ROAD
AERIAL TO ACCOMPANY ZONING PETITION

Map: SE 1-I

007

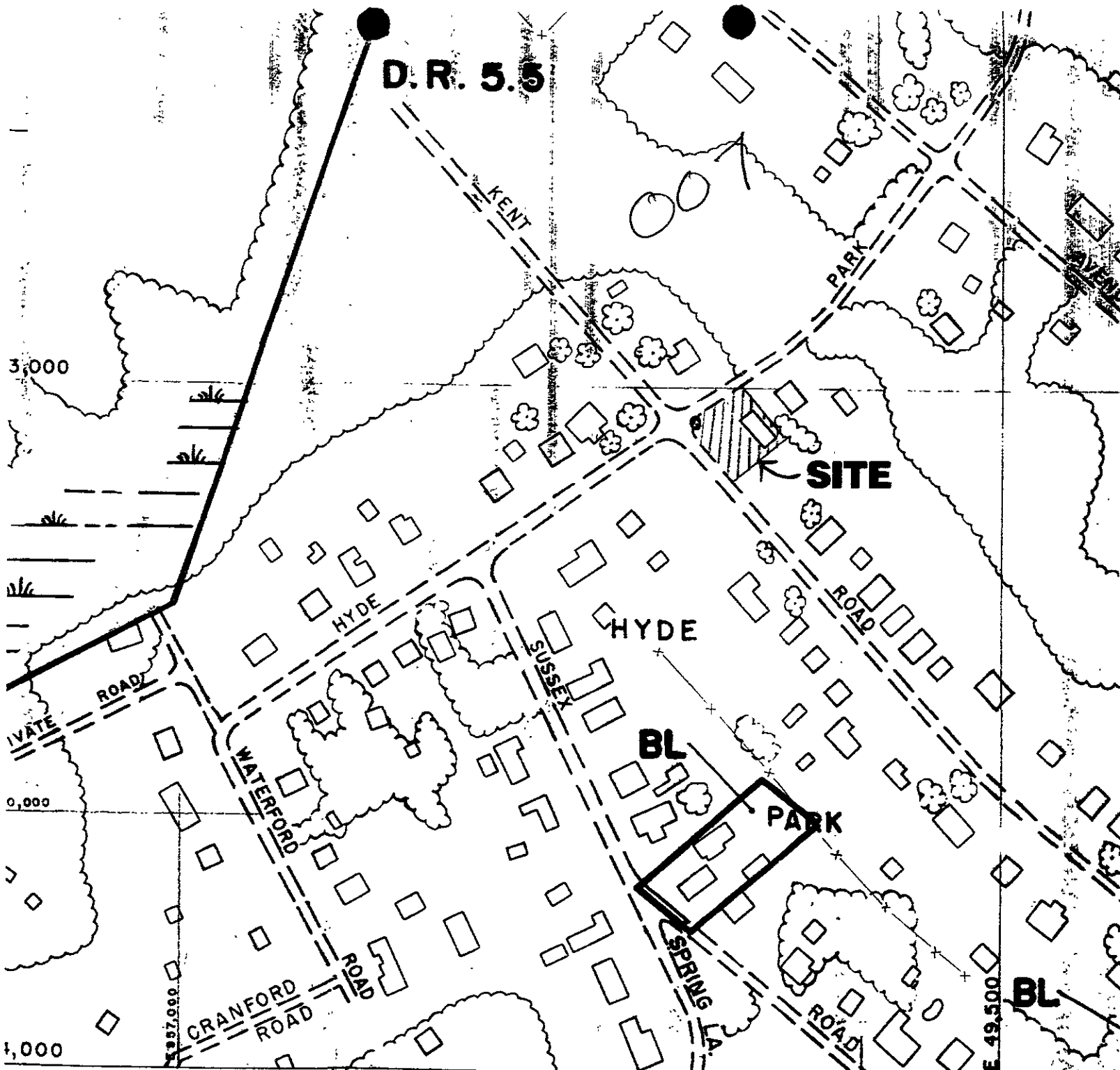


DATE: 7-2-01



SE 1-I

BALTIMORE



703 HYDE PARK ROAD

200 SCALE ZONING MAP: SE 1-I

2000 COMPREHENSIVE ZONING

ADOPTED by

THE BALTIMORE COUNTY COMMISSION

OCTOBER 10, 2000

Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00

Joseph B. Bartolone
Chairman, County Commission

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

Date: 7-2-01

Scale: 1" = 200'

☒ Variance ☐ Special Hearing

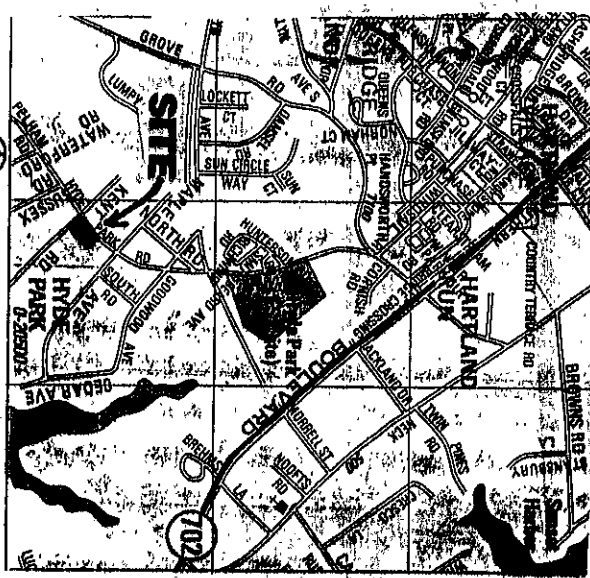
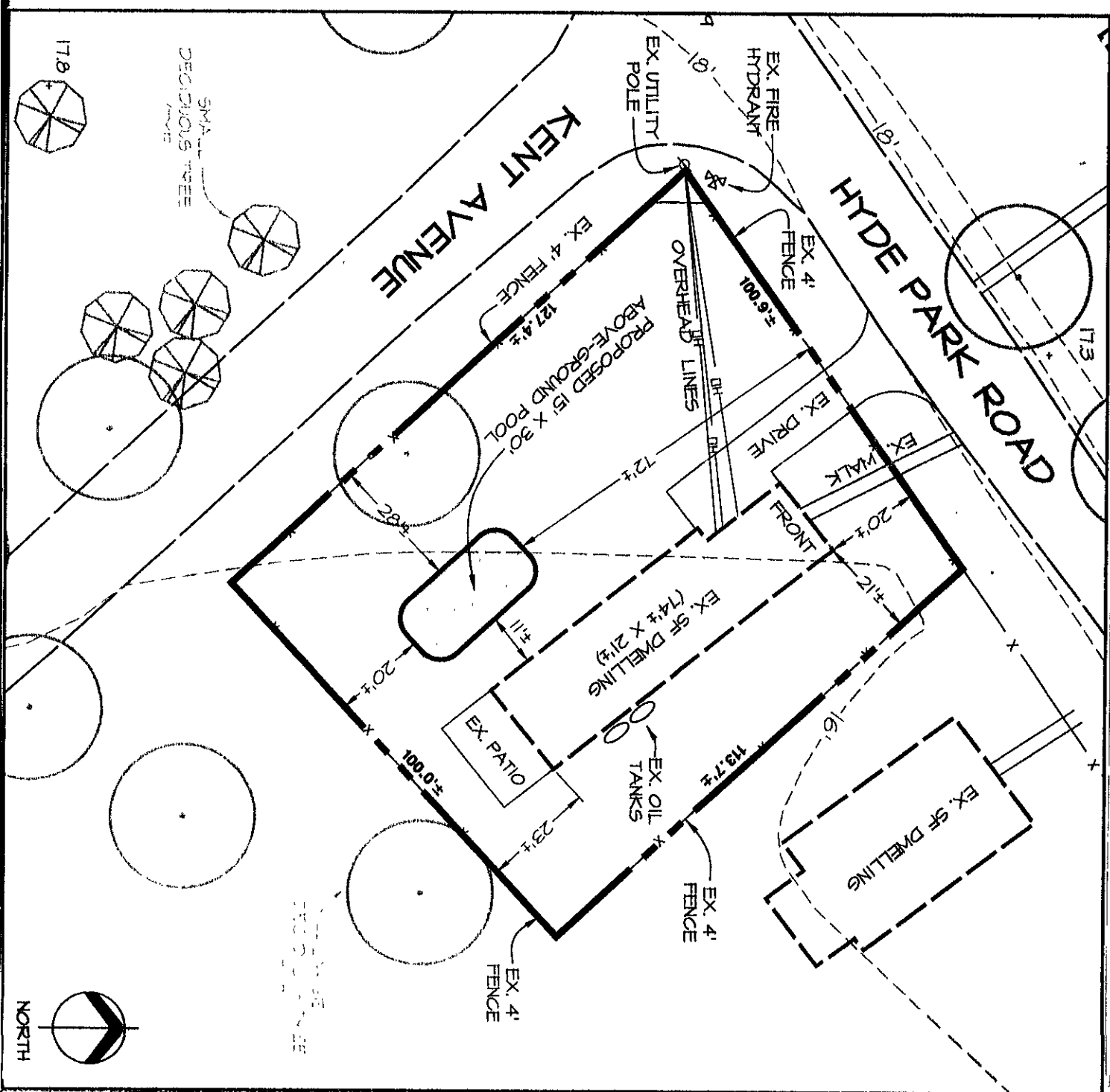
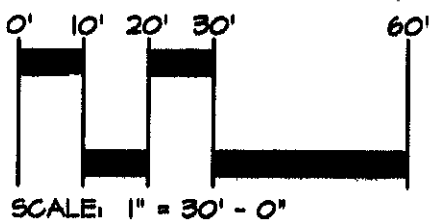
See pages 5 & 6 of the CHECKLIST for additional required information.

FD-302

plat book # 9, folio # 59, lot # 226, section # 227

OWNER: Vernon A. Cooper, Sr.

703 HYDE PARK ROAD
PLAN TO ACCOMPANY ZONING PETITION



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

r=200' scale map#: SE 1-1

Zoning: DR S-5

Lot size: 277 12,109

acreage square feet

Not in Flood Plain

SEWE
Port History

	public	private
SEWER:	☒	☐
WATER:	☒	☐

Chesapeake Bay Critical Area:

Prior Zoning Hearings: *NONE*

Date: 7-2-01

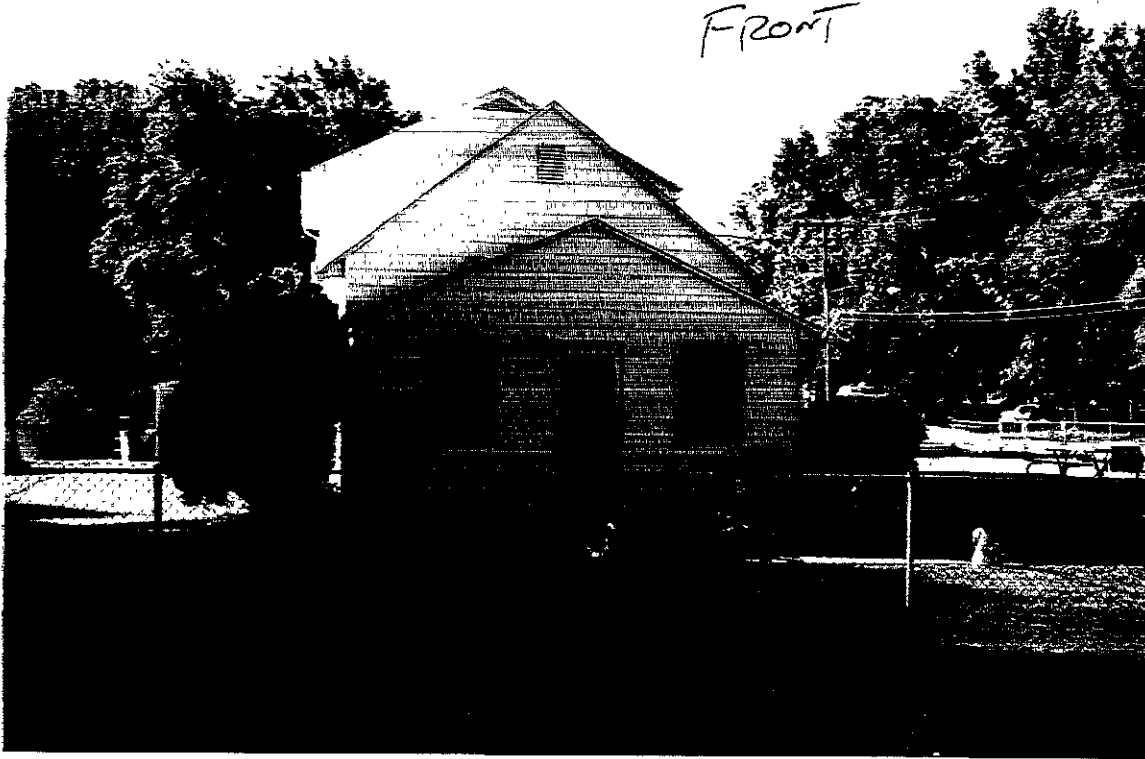
Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:

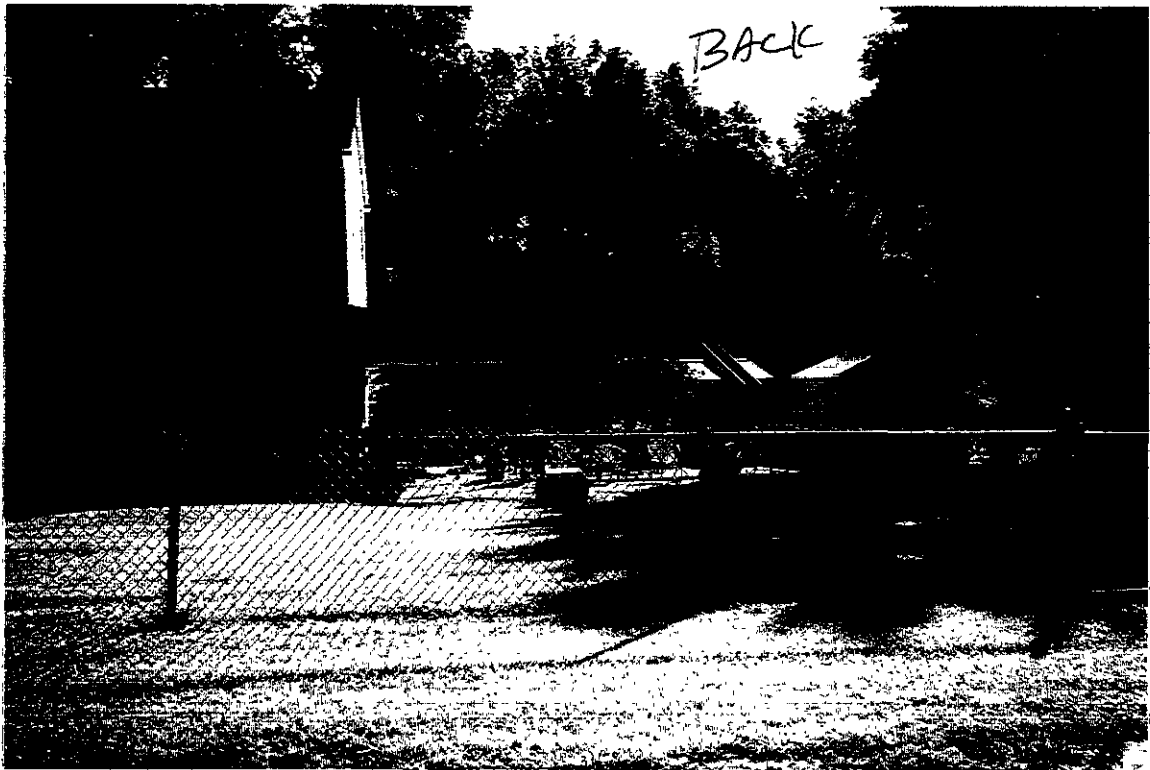
CASE#:

Donna Rice
02-007-A
Pictures

FRONT



BACK



Front Side

