ORDER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Penny Lane, 95' W
centerline of Abbey Road
8th Election District
3rd Councilmanic District
(514 Penny Lane)

Judy Hermsen Petitioner BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-012-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an Administrative Variance filed by Judy Hermsen, legal owner of that property known as 514 Penny Lane in the Cockeysville 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 an existing single-family dwelling with an addition to have a side yard setback of 4 ft. and a sum of side yard setbacks of 21 ft. in lieu of the required 10 ft. and 25 ft. respectively. 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.

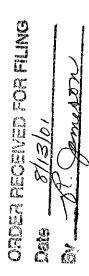
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 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 an existing single-family dwelling with an addition to have a side yard setback of 4 ft. and a sum of side yard setbacks of 21 ft. in lieu of the required 10 ft. and 25 ft. respectively, 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 her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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





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

Fax: 410-887-3468

August 13, 2001

Mrs. Judy Hermsen 514 Penny Lane Cockeysville, Maryland 21030

Re: Petition for Administrative Variance

Case No. 02-012-A Property: 514 Penny Lane

Dear Mrs. Hermsen:

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,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure



Printed with Soybean Ink

on Recycled Paper









REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Name - Type or Print City State Representative to be Contacted: MICHAFI HERMSTA	
This Petition shall be filed with the Department of Permits and Development Management. The under owner(s) of the property situate in Baltimore County and which is described in the description and plat attache made a part hereof, hereby petition for a Variance from Section(s) B O 2 . 3 . C . to perm existing single family dwelling with an addition to have a set back of 4 feet and a sum of side yard set backs of 21 lieu of the required 10 feet and 25 feet, respectively of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated 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 regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. When do solemnly declare and affirm, under the peregury, that live are the legal owner(s) of the pro is the subject of this Petition. Legal Owner(s): When do solemnly declare and affirm, under the peregury, that live are the legal owner(s) of the pro is the subject of this Petition. Legal Owner(s): The property of Print Signature Address Telephone No. Name Type or Print Signature Address Telephone No. Treplation Address Telephone No. The property of Print Signature The property of Print Signature The property of Print The property of Print Signature	 -
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ttorney For Petitioner: SI4 PENNY LANE (4 Address COCKEYSVILLE MARYLAND City State Representative to be Contacted: MicHAFI HERMSTAND	
Address COCKEYSVILLE MARYLAND City State Representative to be Contacted: MICHAEL HERMSTEN	(410)532-
Type or Print City State Representative to be Contacted: MICHAFI TERMSTA	10)667-92
me - Type or Print City State Representative to be Contacted: MicHAF! HERMSTA	Telephone No.
MICHAFI HERMSFA	21030 Zip Code
MICHAFI HERMSFA	
THENTEL THATSEN	
	<u>0) 631-2</u> 5
idress Telephone No. SI4 FENNY ZANE (410)64	7-7258 elephone No.
COCKEYSVILLE MARYLAND	21030
State Zip Code City State	Zip Code
Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Ball	more County
that the subject matter of this petition be set for a public hearing, advertised, as required that the property be reposted.	by the zoning
De la company de	
Zoning Commissioner of Baltimore County	

Estimated Posting Date __

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.

competent to testify thereto in the event that a p			ereto.
That the Affiant(s) does/do presently reside at	514 PEN	NY LANE	
	Address COCKE VS VIII	LE MARYLAND	2/030
	City	State	Zip Code
That based upon personal knowledge, the follov Variance at the above address (indicate hardshi	p or practical difficulty):	·	
THE PLAN FOR THE A	BAITION 15	TO EXTEND	THE SIDE
OC THE HOUSE AS	WELL AS 7	HE BACK. 7	THE SIDE
OF THE HOUSE 157	O BE BUMI	DEA DUT BY	13 FEET.
WE NEED THIS 131	GEET TO AC	COMMODATE	THE
GARAGE IN THE LOW	ER LEVEL.		
That the Affiant(s) acknowledge(s) that if a fo	rmal demand is filed, A	ffiant(s) will be required to	pay a reposting and
advertising fee and may be required to provide a	idditional information.		
Of the Shire			
Signature Newson	Signatur		
Judy Hermsen	•		
Name - Type or Print	Name - 1	Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to WIT:	,	
I HEREBY CERTIFY, this 26 day of of Maryland, in and for the County aforesaid, per	Kune,	<u>∠200</u> /, before me, a Nota	ry Public of the State
or mary land; in and for the sound, per)		
the Affiant(s) herein, personally known or satisf	actorily identified to me	as such Affiant(s), and made	e oath in due form of
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set fo	orth are true and correct	to the best of his/her/their kno	wledge and belief.
			Transmission
AS WITNESS my hand and Notarial Seal		Link M	· (the
Date /	Notary Public	- XI/Min	- yn
	My Commission	Expires MY COMMISS	SION EXPIRES
REU 09 15 98	,	IIINF 1	2002
KGV V7 12 178		NOTARY PUBLIC	, LUUZ ? STATE DE MID
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competent to testify thereto in the event that a p	public hearing is	scheduled in the	future with regard the	ereto.
That the Affiant(s) does/do presently reside at		PENNY		
	Address COCKE	YSVILLE	MARYLAND State	21030
	City		State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	ip or practical dif	ficulty):		
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OF THE HOUSE AS	WELL A	AS THE	BACK. 7	THE SIDE
OF THE HOUSE 157	O BE L	RUMPEL	OUT BY	13 FEET.
WE NEED THIS 13,	FEET TO	ACCON	MODATE	THE
GARAGE IN THE LOW	ER LEV	EL.		-
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is additional informa	filed, Affiant(s) ation.	will be required to	pay a reposting and
Signature Hermoen		01-11-1		
1/		Signature		
Judy Hermsen				
Name Type or Print	· ·	Name - Type or Pr	int	
STATE OF MARYLAND, COUNTY OF BALTIN				
of Maryland, in and for the County aforesaid, pe	rsonally appeare	d ,200	<u>∕</u> , before me, a Nota	ry Public of the State
the Affinial Hearinge	n Garata allo del cadifica	4 40 000 00 000	Afficiation and mand	a adh ia dua farm of
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set for	orth are true and	correct to the be	est of his/her/their kno	owledge and belief.
AS WITNESS my hand and Notarial Seal				
6/26/01	Mary in concession in the second seco	Senda	, M. (51	lane
Date /	Notary	Public	,	1

My Commission Expires MY COMMISSION EXPIRES JUNE 1, 2002 NOTARY PUBLIC STATE OF MD



REU 9115198

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

WAYLAND			and Dientin
	**	for the propert	ty located at 514 FENNY LANE which is presently zoned
existing setback	single family do	walling with	nits and Development Management. The undersigned, legal
	julations of Baltimore Co		law of Baltimore County, for the reasons indicated on the back
i, or we, agree to i	posted and advertised a pay expenses of above Var strictions of Baltimore Coun	iance advertising no	zoning regulations. esting, etc. and further agree to and are to be bounded by the zoning to the zoning law for Baltimore County.
Company Division	haa ault		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 Purc	naser/Lessee:	-	Legal Owner(s):
Name - Type or Print	<u> </u>		Name- Type or Print
Signature			Signature JUSY HERMSEN
Address	1000 - 100 tq.	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature WORK: (410)532-425
Attorney For F	Petitioner:		Address Telephone No. COCKEYSVILLE MARYLAND 21030
Name - Type or Print			City State Zip Code
Signature			Representative to be Contacted:
Company			Name WORK: (410) 631-2568 514 PENNY 14NE (410) 631-2568
Address		Telephone No.	Address Telephone No. OCKEYSVILLE MARYLAND 21030
City	State	Zip Code	City State Zip Code
regulations of Baltimo	aving been formally demand that ore County and that the propert	t the subject matter of th	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning Zoning Commissioner of Baltimore County

Estimated Posting Date ____

ZONING DESCRIPTION FOR 514 PENNY LANE

Beginning at a point on the <u>North</u> side of Penny Lane which is <u>50 feet</u> wide at the distance of <u>95 feet West</u> of the centerline of the nearest improved intersecting street <u>Abbey Road</u> which is <u>50 feet</u> wide. Being Lot # <u>16</u> in the subdivision of <u>Warren Village</u> as recorded in Baltimore County Plat Book # <u>44</u>, Folio # <u>150</u>, containing <u>8,816 square feet</u>. Also known as <u>514 Penny Lane</u> and located in the <u>8th</u> Election District, <u>3rd</u> Councilmanic District.

Item # 012

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	4033		PAID RECEIPT
DATE 7/9/01 ACCOUNT 00	006	<u>G150</u>	RH EN	//09/2001 7/09/2001 13:44:46 VS04 CASHIER DDDL DAN DRAMER
RECEIVED MIKE Hermsen		,	Ü.	10. 004033 Recept Tot 50.00 .00 CK 60.00 CF
FOR: Admin. Var. Heaving	Case	02-012-1	7	Baltimore County, Waryland
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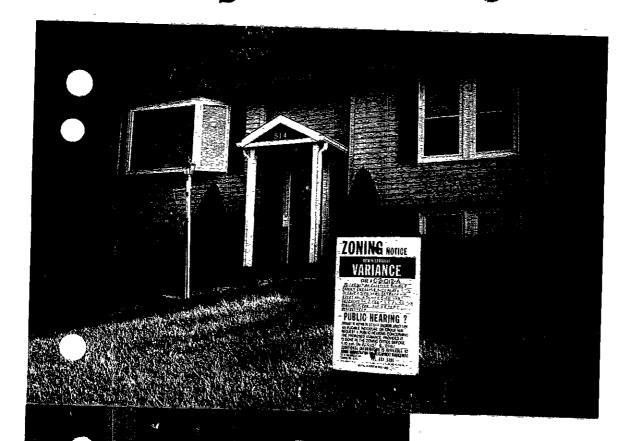
100

CERTIFICATE OF POSTING

796

	RE: Case No.: 02-012-A
	Petitioner/Developer:
	MICHAEL HERMSON
	Date of Hearing/Closing: 8-6-01
Baltimore County Department Permits and Development Mar County Office Building, Roon 111 West Chesapeake Avenue Towson, MD 21204	t of nagement
Attention: Ms. Gwendolyn Ste	pliens :
Ladies and Gentlemen:	•
were posted conspicuously on	the property located at
The sign(s) were posted on	Juy 20, 2001.
	(Month, Day, Year)
	Sincerely, Sincerely, Sign Poster and Date) Compare Moore Compare Moore
76 £	(Telephone Number) :

 i_i^i :



RECEIVED

JUL 24 2001

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

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.

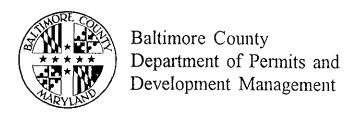
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: <u>02 - 012 - A</u> Petitioner: <u>MICHAEL</u> HERM SEN
Address or Location: 514 PENNY LAWE COCKEYSVILLE, MA 21030
PLEASE FORWARD ADVERTISING BILL TO: Name: MICHAEL HERMSEN
Address: 514 PENNY LANE
<u>Cockeys VILLE</u> , MD 21030 Telephone Number: (410) 667-9258

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW



Case Number 02- 012 -A Address 514 Penny Lane Contact Person: David Duval Planer Place Print Your Name Planer Place Print Your Name Planer Place Print Your Name
Contact Person: David Duval Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: $\frac{7/9/61}{}$ Posting Date: $\frac{7/20/61}{}$ Closing Date: $\frac{8/6/61}{}$
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.
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 02-012 -A Address 5/4 Yenny Lane
Petitioner's Name Mike Hermsen Telephone 410 667 9258
Posting Date: 7/20/01 Closing Date: 8/6/01
Wording for Sign: To Permit an existing single tamily dwelling with an
addition to have a side yard setback of 4 feet and a
sum of side yard setbacks of 21 feet in lieu of the
required 10 feet and 25 feet, respectively
/ WCR - Revised 6/28/00



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

August 7, 2001

Judy & Michael Hermsen 514 Penny Lane Cockeysville MD 21030

Dear Mr. & Mrs. Hermsen:

RE: Case Number: 02-012-A,

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 9, 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. G うて Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: August 20, 2001

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

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

Allo

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 07, 2001

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 01-514, 02 001, 02-002, 02-008, 02-010,

and 02-012

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chiefz

AFK/JL:MAC

17.7. - 9NA





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. 012

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Dear. Ms. Jackson:

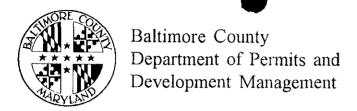
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

1. J. Doell

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



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

July 2, 2002

Mr. Michael Hermsen 514 Penny Lane Cockeysville, Maryland 21030

RE:

Spirit & Intent for 02-012-A, 514 Penny Lane

8th Election District

Dear Mr. Hermsen:

Your recent letter sent to Arnold Jablon, Director of Permits and Development Management has been given to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined.

After consulting with Lawrence E. Schmidt, Zoning Commissioner for Baltimore County, this office considers the adjustments outlined in your letter and red-lined on your plan to be within the "spirit and intent" of the zoning hearing for 02-012-A. This "spirit and intent" approval applies to the addition outlined on your plan, the <u>Baltimore County Zoning Regulations</u> and policies only and does not apply to regulations enforced by other government agencies.

A copy of your letter, this response and the red-lined plan will be recorded and made a permanent part of the zoning case file.

If you have any questions, please do not hesitate calling me at 410-887-3391.

Sincerely,

Donna Thompson

Planner II

Zoning Review

DT Enclosure

IMBER WHEN MAKING INQUIRIES.

Benjamin Chua 1:20 Keny Lane 1:20 W/25 - no problem. 410-667-4377

7.

R.S.H

