DELIC ED CONTRACTION

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Maurleen Court, 350' NE centerline Maurleen Road

3rd Election District

Petitioner

2nd Councilmanic District

(2708 Maurleen Court)

Wayne & Galina McKee

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 02-044-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 owners of the subject property, Wayne and Galina McKee. The variance request is for property located at 2708 Maurleen Court, in the Pikesville area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (enclosed patio room) with a side yard setback of 3 ft. in lieu of the required 8 ft. and a front yard setback of 5 ft. in lieu of the required 25 ft. 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 4 day of September, 2001, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (enclosed patio room) with a side yard setback of 3 ft. in lieu of the required 8 ft. and a front yard setback of 5 ft. in lieu of the required 25 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner 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

ORDER RECEIVED FOR FILING
Date
9/4/6/
8y
4. Annuar



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

Fax: 410-887-3468

September 4, 2001

Mr. & Mrs. Wayne McKee 2708 Maurleen Court Baltimore, Maryland 21209

Re: Petition for Administrative Variance

Case No. 02-044-A

Property: 2708 Maurleen Court

Dear Mr. & Mrs. McKee:

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

Sur thy Kotroco

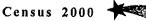
TMK:raj Enclosure

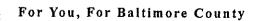
c: Southside Builders, Inc. 86 John Street, Unit B Westminster, MD 21157



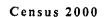
Printed with Soybean Ink

on Recycled Paper











mailed to homeowner leli3



REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	2708 Maurleen Ct.
	h is presently zoned $DR.5.5$

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

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)

To Permit an addition (enclosed Patio Room) with a side yard setback of 3'in lieu of the required 8' and a front yard setback of 5' in lieu of the required 25'

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.

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City	/		*** **********************************	State	Zip Code	Signalije		10(5	
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Nar	ne - T	ype or Pri	nt	 		- Ball City	timore	MD State	2)2 9 Zip Code
Sign	ature	<u> </u>				Repre:	sentative to be	e Contacte	d <u>:</u>
Con	pany		\$			Scut Name	hside Buil	ders, Ir	١٤٠
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Cily	3			State	Zip Code	<u>Wes</u>	toninster	MC State	S Zip Code
			naving been form			to be required, it is er of this petition be s	ordered by the Zoset for a public hear	ning Commissioning, advertised,	oner of Baltimore County, as required by the zoning
9/	H		·		·				
Q.	<u> </u>						Zoning Commission	ner of Baltimore	County
\mathbf{C}_i	ASI	NO.	02-04	4-A		Reviewed By _	JRF	Date 7	-25-01

Estimated Posting Date 8-5-01

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.

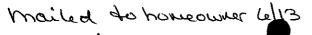
competent to testify thereto in the event that a p	oublic hearing is schedule	d in the future with regard	thereto.
That the Affiant(s) does/do presently reside at	2708 Maurie	en Ct.	
	Baltimore	State	SISI9 Zip Code
That based upon personal knowledge, the folio Variance at the above address (indicate hardsh	owing are the facts upon this properties or practical difficulty):		·
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed, A additional information.	ffiant(s) will be required	to pay a reposting and
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Name - Type or Print	G	ouling McKee	
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:	2001 holore me a N	latany Bublic of the State
of Maryland, in and for the County aforesaid per the Affiant(s) herein, personally known or satisfication.	ersonally appeared A Mckee	, belove me, a N	lotary Fublic of the otate
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identified to me orth are true and correct	as such Affiant(s), and m to the best of his/her/their	ade oath in due form of knowledge and belief.
AS WITNESS my hand and Notarial Seal		P	
6-15-2001	Ma	LR. Awa	· 1
Date	Notary Public	- France / //	/2003
	MV Commission	n Expiros '/	/ "

Affidavit in Support of Administrative Variance

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competent to testify thereto in the event that a	public hearing is schedule	d in the future with regar	d thereto.
That the Affiant(s) does/do presently reside at	2708 Maurle	en Ct.	
	Baltimore	ΥΩΩ State	21219 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upon in the properties of practical difficulty):		-
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed, A additional information.	ffiant(s) will be required	to pay a reposting and
Wayne McKee	<u> </u>	Cerlina M	4
Name - Type or Print	G	ype or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:	7/77/	
I HEREBY CERTIFY, this 15 day of 10 day of 10 day of 10 day of 15	a Mckee		Notary Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identified to me	as such Affiant(s), and r to the best of his/her/thei	made oath in due form of r knowledge and belief.
AS WITNESS my hand and Notarial Seal 6 - 15 -2 007 Date	M au	LR. dwe	·
Date	Notary Public My Commission	LR. Short	1/2003

REV 09/15/98





REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Estimated Posting Date 8-5-01

THY LAB	ιο ι	_	, Commissioner of Daitimore Coun
		for the proper	ty located at 2708 Maurleen Ct.
			which is presently zoned
This Petition shall be owner(s) of the proper made a part hereof, he	e filed with the Dep rty situate in Baltimo ereby petition for a V	partment of Pern re County and wh ariance from Sec	mits and Development Management. The undersigned, le nich is described in the description and plat attached hereto a ction(s) しらる。る。 BCzと
To Permit an a	lddition (endo	sed postio ro	om) with a side yard Setback
of 3' in lieu 5' in lieu of	a of the rea	quired 8' c	and a front yard setback of
2 IN HEA DE	the redoin	es as,	

of the zoning regulation of this petition form.	ns of Baltimore Coul	nty, to the zoning	law of Baltimore County, for the reasons indicated on the ba
Property is to be poste I, or we, agree to pay exp regulations and restriction	benses of above Varia	nce advertising n	e zoning regulations. osting, etc. and further agree to and are to be bounded by the zoni to the zoning law for ਲੋaltimore 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 Purchase	r/Lessee:		Legal Owner(s):
Name - Type or Print			Wayne Mchee Name - Type or Print × Wayne mcker
Signature			Signature ()
Address	3 	Telephone No.	Name - Type or Print Cali Na Moe Moe
City	State	Zip Code	Signatuje
Attorney For Petition	oner:		Address Telephone N
Name - Type or Print	7 10 10 10 10 10 10 10 10 10 10 10 10 10		Baltimore MD 21299 City State Zip Cod
Signature			Representative to be Contacted:
Company		······································	Southside Builders, Inc.
Address		Telephone No.	86 John Street, Unit B 410-857-78 Address Telephone No
City	State	Zip Code	Westminster MD 21157 City State Zip Code
			e required, it is ordered by the Zoning Commissioner of Baltimore Count this petition be set for a public hearing, advertised, as required by the zoning
regulations of Baltimore Cour	nty and that the property	be reposted.	ans petition be set for a public hearing, advertised, as required by the zonii
			Zoning Commissioner of Baltimore County
CASE NO. 02	L-044-A	Pov	viewed By TRE Note 7.25-01

Mc Kee Residence:

"Undue Hardship"

- (i) As shown on the attached photos, the side yard of the Mc Kee residence is very close to the property line, as a result of both an odd shaped lot, as well as the position of the home on the property, shifted to this side. The layout does not allow reasonable use. Architecturally, this is the only side to add a Sunroom Addition, to serve the kitchen area of the home. Aesthetically, it is the best location for the Addition.
- (ii) This is unusual from all other homes in the community, as other lots are larger, and their position of the home is more centrally located.
- (iii)
 Note:

 This hardship was not the result of the applicant's own action.

 When Mr. & Mrs. McKee purchased this home, they fully intended to enclose the side deck in the future, providing more living space. We respectfully request the permission from the Hearing Officer, to add a Four Seasons Sunroom Deck Enclosure to their existing deck, which will not adversely effect traffic, block others views, nor endanger public safety or welfare. We feel whole-heartedly, that the spirit of the ordinance will still be observed, as granting this relief would be based on the severity of the lot, unique to less than 1% of the homes in this community. Relief would also allow the McKee's to make reasonable additions to their home, keeping their improvement in line with the neighboring properties.

ZONING DESCRIPTION FOR 2708 Maurleen Court, Baltimore, MD 21219

350

Beginning at a point on the East side of Maurleen Court which is 20' wide at the distance of 190' Northeast of the centerline of the nearest improved intersecting street Maurleen Road which is 20' wide. Being Lot #16, Block K, Section #I in the subdivision of Wellwood as recorded in Baltimore County Plat Book #23, Folio #36, containing 9,890 square feet.

Also known as 2708 Maurleen Court and located in the 3rd Election District.

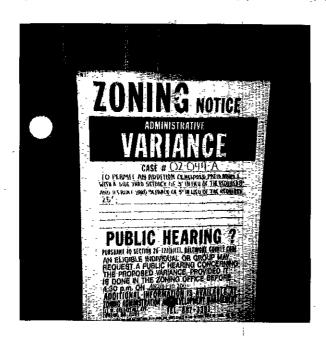
Typical metes and bounds: N.69 09'39"W, S21 23' 40"W, S34 28' 34"W, N87 10' 41"E.

BALTIMORE COUNTY, MARYLA DEFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	4067	PAID RECEIPT
PATE 7-25-0/ ACCOUNT 00/	-006-615	<u> </u>	PAYMENT ACTUAL TIME 7/25/2001 7/25/2001 11:09:41 RE MOOG CASHIER DUOL DWD DRAWER FIGEIPF # 149000 OFF
ROM: Southside Builders			Recet Tot 50.00
2708 MAURLEEN CT. OR: OI - VARIANCE		# 044 3y: Jun	Boltimore County, Maryland
STRIBUTION			

CERTIFICATE OF POSTING

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	RE: Case No.: <u>02-074-</u> f1
	Petitioner/Developer: WAYNE
	mck <i>E</i> E
•	Date of Hearing/Closing: Aug 20, 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 powere posted conspicuously on the property loc	erjury that the necessary sign(s) required by law cated at 2708 MAURCEN +
The sign(s) were posted onA	(Month, Day, Year)



Sincerely,
8/5/01
(Signature of Sign Poster and Date)
SSG ROBERT BLACK
(Printed Name)
1508 Leslie Rd
(Address)
Dundalk, Haryland 21222
(City, State, Zip Code)
(410) 282-7940
(Telephone Number)

DEPARTMENT 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.

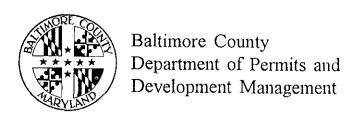
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 02-044-A
Petitioner: Wayne d Galina McLee
Address or Location: 2708 Maurleen Ct, Balto, mo 21209
PLEASE FORWARD ADVERTISING BILL TO:
Name: Wayre & Galina McKee
Address: 2708 Maurleen Ct.
Baltimore, MO 21209
Telephone Number: H10-484-7363

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

r
Case Number 01- 044 -A Address 2708 MAURLEEN CT.
Contact Person: Jun R. FERNANDO Phone Number: 410-887-3391
Filing Date: 7-25-01 Posting Date: 8-5-01 Closing Date: 8-20-0
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. <u>DEADLINE:</u> 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 01-044 -A Address 2708 MAURLEEN CT.
Case Number 01-044 -A Address 2708 MAURLEEN CT. Petitioner's Name Wayne Mckee Telephone 410 - 484 - 7363
Posting Date: 8-5-0/ Closing Date: 8-20-0/
Wording for Sign: To Permit an addition Cenclosed patio room) with a
side yard setback of 3' in lieu of the required 8' and a front
Wording for Sign: To Permit an addition Cenclosed patio room) with a side yard setback of 3' in lieu of the required 8' and a front yard setback of 5' in lieu of the required 25!



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

August 21, 2001

Galina & Wayne McKee 2708 Maurleen Court Baltimore MD 21209

Dear Mr. & Mrs. McKee:

RE: Case Number: 02-044-A, 2708 Maurleen Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 25, 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)	410-767-4489
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. 607

Supervisor, Zoning Review

W. Carl Ruchard, Jr.

WCR: gdz

Enclosures

C: Southside Builders Inc, 86 John Street, Unit B, Westminster 21157 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: September 11, 2001

FROM

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT

Zoning Advisory Committee Meeting

For August 27, 2001

Item Nos. 036, 039, 040, 041, 044, 045, 048, 049, 050, 051, 053, 054, and 055

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

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

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:

036, (039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, AND 055

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

cc: File

A)20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 29, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-044

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 Chief: ____

AFK/JL:MAC

All: 29



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Administrator

Date: 8.24.61

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

RE: Baltimore County

Item No. 044 SRF

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 June 13, 2001

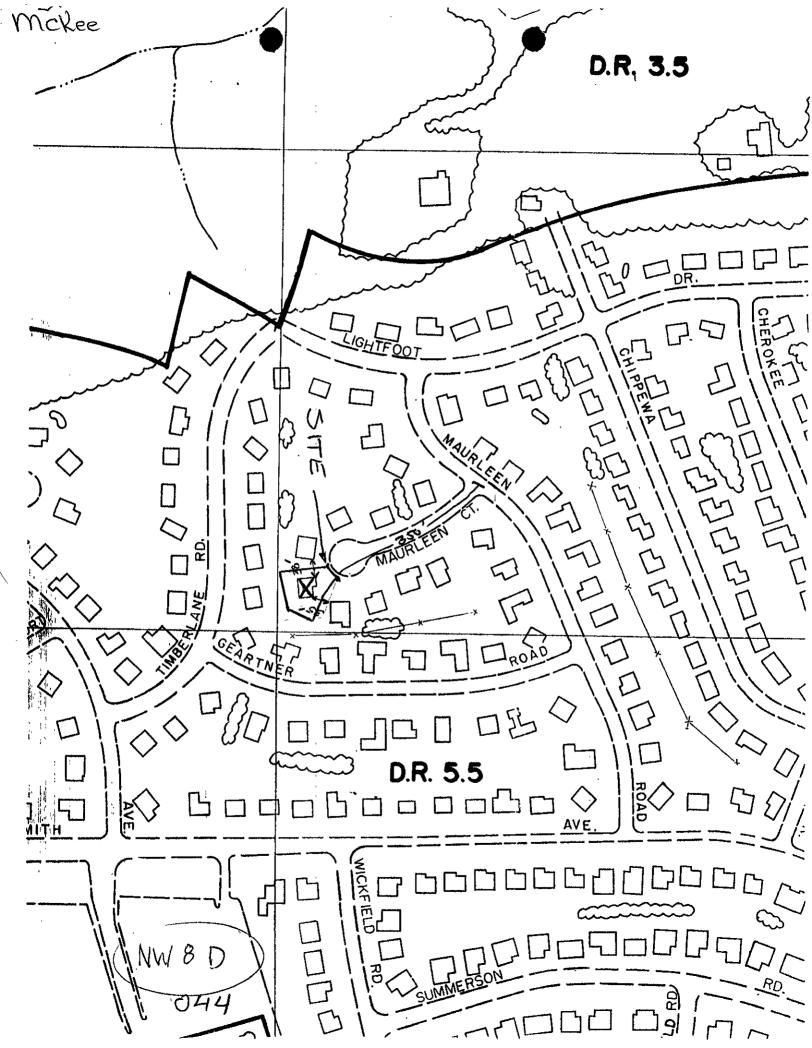
To Whom it May Concern,

I/we Revee GARONZIK, residing at 2706 MAURLEEN CA. have no objections to our neighbors Wayne & Galina McKee residing at 2708 Maurleen Court, having a 18' x 15' sunroom added to the side of their house.

Sincerely,

(neighbor's signature)

044





Side yard - Showing districted to reighbors property



Side yard - proposed 1000tion OF addition

