IN RE: PETITION FOR ADMIN. VARIANCE S/S Wynfield Drive, 215' E centerline of Lyonswood Drive 2nd Election District 2nd Councilmanic District (4221 Wynfield Drive)

> Bonita & Reginald Jones Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 02-051-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, Bonita and Reginald Jones. The variance request is for property located at 4221 Wynfield Drive, in the Owings Mills area of Baltimore County. The variance request is from Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a window to tract boundary setback of 30 ft. in lieu of required 35 ft. for a sun porch and to amend the Final Development Plan. 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.

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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 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a window to tract boundary setback of 30 ft. in lieu of required 35 ft. for a sun porch and to amend the Final Development Plan, 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. K**Ó**TROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

September 4, 2001

Mr. & Mrs. Riginald Jones 4221 Wynfield Drive Owings Mills, MD 21117

> Re: Petition for Administrative Variance Case No. 02-051-A

> > Property: 4221 Wynfield Drive

Dear Mr. & Mrs. Jones:

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

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TMK:raj Enclosure

c: Gregory A. Falter c/o Patio Enclosures 224 8<sup>th</sup> Avenue, NW Glen Burnie, MD 21061



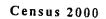
tinted with Soybean Ink

on Recycled Paper













# Petition for Administrative Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 4221 WYNFIELD DR OWINGS MILLS MD
which is presently zoned DR 5.5

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		BONITA JONES	
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<u>u</u> '			
		Zoning Controlssigner of Bal	timore County
Ase No. 02 - 05/- A	Re	viewed By Date	- 7/57/01
20 915198	Est	timated Posting Date	15-101

# Affidaviten 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 repart thereto.

That the Affiant(s) does/do presently reside at	public hearing is scheduled in the future with regard thereto.	,
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3. Reduce road noise.		
4. A place to sit out and not be conceetc	cerned with the weather, bugs: mosquitos, flies	
5. Improve the apperance of the hou	use	
6. The restrictive area of the lot does requiring a variance.	s not lend itself to any addition of pratical size without	
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REGINALD JONES	o.B. cafrin	
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STATE OF MARYLAND, COUNTY OF BALTIM	MORE, to wit:	
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e Affiant(s) herein, personally known or satisfa	factorily identified to me as such Affiant(s), and made oath in due for orth are true and correct to the best of his/her/their knowledge and beli	m of ef.
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	My Commission Expires ((//0)	·

REV 09[15]98

# Affidavie in Support of Administrative Variance

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4221 WYNFIELD DR

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

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REGINALD JONES Name Type of Print	- BONITA JONES
	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BAI	TIMORE, to wit:
I HEREBY CERTIFY, this THE day of of Maryland, in and for the County aforesaid	, personally appeared
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the Affiant(s) herein, personally known or si	atisfactorily identified to me as such Affiant(s), and made oath in due form of eat forth are true and correct to the best of his/her/their knowledge and belief.
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# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

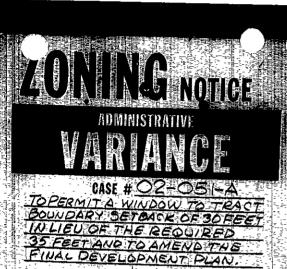
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### ZONING DESCRIPTION FOR 4221 WYNFIELD DR.

BEGINNING AT A POINT ON THE SOUTH SIDE OF WYNFIELD DR
WHICH IS 30' WIDE AT THE DISTANCE OF 215' EAST OF THE
NEAREST IMPROVED INTERSECTING STREET LYONSWOOD DR
Plat 3
WHICHIS 30' WIDE. BEING LOT # 13 BLOCK --, SECTION B<sub>A</sub>IN THE
SUBDIVISION OF LYONSWOOD AS RECORDED N COUNTY PLAT
BOOK # 62, FOLIO # 77, CONTAINING 8,150 SQ'. ALSO KNOWN AS
4221 WYNFIELD DR LOCATED IN THE 2nd ELECTION DISTRICT,
2nd COUNCILMANIC DISTRICT.

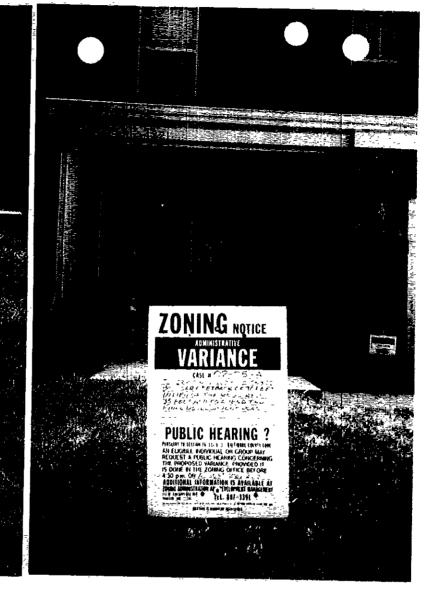
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PUBLIC HEARING 2

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REQUEST: A PUBLIC HEARING CONGERNING
THE PROPOSED VARIANCE PROVIDED: 1
S. DONE IN THE ZONING OFFICE BEFORE
430 p.m. on A 62 str. 2 str. 2

ADDITIONAL INFORMATION: SAVAILABLE AT
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## CERTIFICATE OF POSTING

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*** ***	RE: Case No.: 02-05/-A
	Petitioner/Developer: R. & B. Jones
	PATIO EXICUSUROS, INC.
	Date of Hearing/Closing: 8-22-01
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	:
Ladies and Gentlemen:	
were posted conspicuously on the property I	perjury that the necessary sign(s) required by law ocated at
The sign(s) were posted onAUG	UST 7, 2:00   (Month, Day, Year)
	Sincerely,  (Signature of Sign Poster and Date)  (Printed Name)  3225/2/E/LSOAI (CINCLE  (Address)  [DAICTIMONE   Min. 2127  (City, State, Zip Code)
	(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.

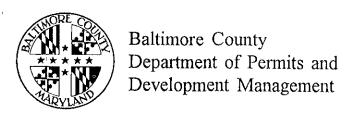
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Item Number or Case Number: - 02 -051 - A
Petitioner: REGINALD AND BONITA JONES
Address or Location: 4221 WYNFIELD DR OWINGS MILLS MD 21117
PLEASE FORWARD ADVERTISING BILL TO:  Name: _ PATIO ENCLOSURES INC.  Address: _ 224 8TH AVE NW GLEN BURNIE MD 21061
Telephone Number:_ 410-760-9322 X25
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### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02	051	-А	Address	4221	wynfield	Dr.
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amend the	Finel	Developme	at Plan			



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

August 21, 2001

Bonita & Reginald Jones 4221 Wynfield Drive Owings Mills MD 21117

Dear Mr. & Mrs. Jones:

RE: Case Number: 02-051-A, 4221 Wynfield Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 27, 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.

W. Carl Rechard J.

W. Carl Richards, Jr. 602 Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Patio Enclosures Inc, 224 8<sup>th</sup> Avenue NW, Glen Burnie 21061 People's Counsel

#### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 11, 2001

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

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

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

**DATE:** August 21, 2001

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-039, 02-045, 02-050, & 02-051

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.

AUG 2 1

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:

8.24.01

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

RE:

**Baltimore County** 

Item No. 651

Dear. Ms. Jackson:

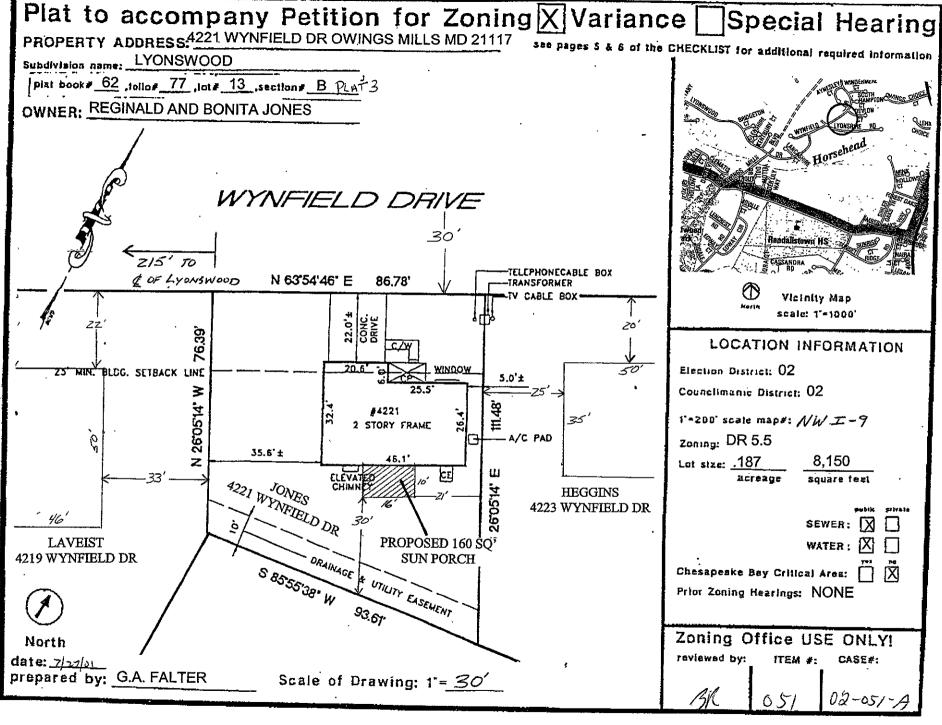
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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).

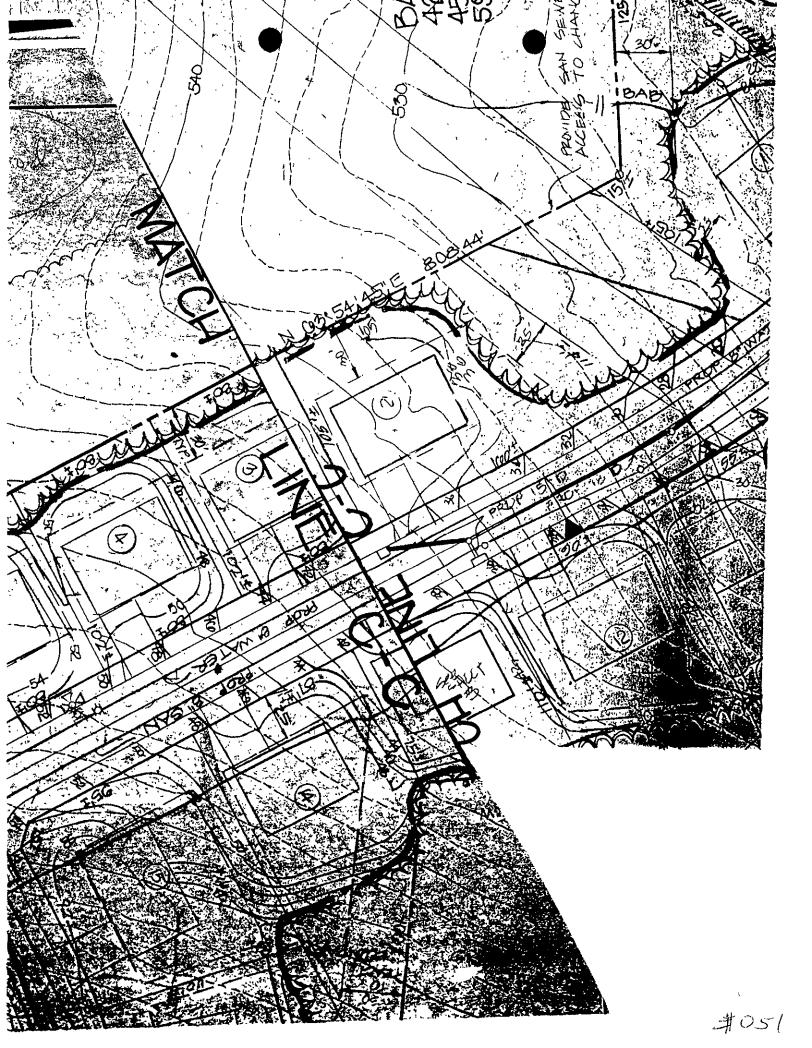
Very truly yours,

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

f. f. Doelle



18.9.4.





REAR.

JONES 4221 WYNFIELD DP, OWINGS MILLS MO,



REAR & LEFT OF YARD.



RIGHT SIDE YARD



I 6 MN

#051