DADER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Cedar Circle Drive, 150' +/- NE

centerline of Colebrook Road

1st Election District

1st Councilmanic District

(2001 Cedar Circle Drive)

Wilhelmina & Howard James

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 02-055-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, Wilhelmina and Howard James. The variance request is for property located at 2001 Cedar Circle Drive, in the Catonsville area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (1956 Regs.), to permit a rear yard setback of 17 ft. in lieu of the required 30 ft. for a sunroom. 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 4th day of September, 2001, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (1956 Regs.), to permit a rear yard setback of 17 ft. in lieu of the required 30 ft. for a sunroom, 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. KOTROCC

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. Howard James 2001 Cedar Circle Drive Baltimore, Maryland 21228

> Re: Petition for Administrative Variance Case No. 02-055-A

Property: 2001 Cedar Circle Drive

Dear Mr. & Mrs. James:

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, Muthy Kotrois

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

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



rinted with Soybean Ink

on Recycled Paper











REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

TOTAL	•	•	commissioner of ba	U
		for the propert	y located at 2001 Cedar C	rele Dr.
			which is presently zone	9 085
made a part hereof, he	ereby petition for a	Variance from Sect	its and Development Managemerich is described in the description arion(s) /BO2.3.B; BC2R,	nd plat attached hereto and
of the zoning regulatio of this petition form.	ons of Baltimore Co	ounty, to the zoning	law of Baltimore County, for the reas	sons indicated on the bac
Property is to be poste I, or we, agree to pay ex regulations and restriction	nenses of above Var	riance advertisina na	zoning regulations. esting, etc. and further agree to and are to the zoning law for Baltimore County.	to be bounded by the zoning
Comérce de Branch			I/We do solemnly declare and affir perjury, that I/we are the legal owr is the subject of this Petition.	rm, under the penalties of ner(s) of the property which
<u>Contract Purchase</u>	<u>:I/Lessee:</u>		Legal Owner(s): Howard Tame,s	
Name - Type or Print			Name - Type or Print	····
Signature	#		Signature Wilhelmina Jan	445
Address	*	Telephone No.	Name - Type or Print	am 1A/
City	State	Zip Code	Signature	
Attorney For Petitic	oner:		Address Codar Circles	2. 410-744-664. Telephone No.
Name - Type or Print	···		Bartinese M	State Zip Code
g Signature			Representative to be Cont	acted:
Company			Southside Builders,	Inc
Address		Telephone No.	Address Street Unit	<u>В 410-857- ЧРЭ</u> Telephone No.
	State	Zip Code	City City	State Zip Code
nis: 🚫 Day of	tha .	it the sliblect matter of ti	required, it is ordered by the Zoning Com his petition be set for a public hearing, adver	nmissioner of Baltimore County, tised, as required by the zoning
egulations of Baltimore Cou	mry and that the proper	ty be reposted.		· · · · · · · · · · · · · · · · · · ·
		- A	Zoning Commissioner of Ball	imore County
ON CHE NO	ィクーかて	- 41-	~ A &AA	Ω 1 Ω 1

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.

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):

2001

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

REU 09/15/98

That the Affiant(s) acknowledge(s) that if a forr advertising fee and may be required to provide ac	mal demand is filed, Affiant(s) will be required to pay a reposting and Iditional information.
· Hower James	& Wilhelmine James
Signature	* ¸ i Signature
HOWARD JAMES Name - Type or Print	WILHELMINA JAMES Name - Type or Print
Hand - Type of Final	Name - Type of Tisk
STATE OF MARYLAND, COUNTY OF BALTIMO	
I HEREBY CERTIFY, this $\frac{\mathcal{J}\mathcal{K}}{\mathcal{J}}$ day of $\frac{\mathcal{J}\mathcal{K}}{\mathcal{J}}$ day of $\frac{\mathcal{J}\mathcal{K}}{\mathcal{J}}$ of Maryland, in and for the County aforesaid/pers	bordally appeared, 2001, before me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfa	ctorily identified to me as such Affiant(s), and made oath in due form of th are true and correct to the best of his/her/their knowledge and belief.
and the matters and laste hereinabove set for	
AS WITNESS my hand and Notarial Seal	Ω
1/2/2	Ansemous Aloughaliai
Date 7/3/0/	Notary Public
	My Commission Expires 3/1/2004

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	2001 Codas	Circle Dr	
	Address		
	City City	State	<u> විලාදුළි</u> Zip Code
	•		•
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	owing are the facts upo ip or practical difficulty	on which I/we base the red	quest for an Administrative
ı			
		\	
		·	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature	additional information.	Hillmin	yames
HOWARD JAMES		WILHELMINA JAME	S
Name - Type or Print	Name	- Type or Print	
STATE OF MARYLAND, COUNTY OF BALTU I HEREBY CERTIFY, this Report of Maryland, in and for the County aforesaid pe	ersonally appeared		Notary Public of the State
the Affiant(s) herein, personally known or satisflaw that the matters and facts hereinabove set it	factorily identified to reforth are true and corre	ne as such Affiant(s), and act to the best of his/her/the	made oath in due form of eir knowledge and belief.
AS WITNESS my hand and Notarial Seal	Dose	many Alrabo	Lein
Date	Notary Public My Commiss	Mauf Shop o c sion Expires 3/1/	1.004

REV 09/15/98



REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2001 Cedas Circle Dr.
which is presently zoned DR 2

	for the property	y located at 2001 Cedar Circle Dr.
		which is presently zoned DR. 2
This Petition shall be filed with the Do owner(s) of the property situate in Baltim made a part hereof, hereby petition for a	epartment of Permi nore County and which Variance from Secti	its and Development Management. The undersigned, leg ch is described in the description and plat attached hereto at on(s) /802.3.8; 8 CZP, TO PERMIT
REAR YARD SETBACK	0E 1211	1002.3.0 BCZF, 10 PERMIT
3 oft. FOR A SUNRA	oom (1956	IN LIEU OF THE REQUIRED REGS.)
of the zoning regulations of Baltimore Co	puisty, to the zoning l	aw of Baltimore County, for the reasons indicated on the bac
of this petition form.	,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Property is to be posted and advertised a l, or we, agree to pay expenses of above Var regulations and restrictions of Baltimore Cour	as prescribed by the riance, advertising, po nty adopted pursuant t	zoning regulations. sting, etc. and further agree to and are to be bounded by the zonion the zonion to the zonion the zonion the zonion that is a support to the zonion that is a support to zonion the zonion to zonion the zonion that is a support to zonion the zonion that zonion the zonion the zonion that zonion the zonion that zonion the zonion the zonion that zonion the zonion t
ı		I/We do solemniy 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:	-	Legal Owner(s):
		4. 17
Name - Type or Print	·····	Name - Type or Print
		Howard anu
Signature	,	Signature
Address	Telephone No.	Name - Type or Prict
City State	Zip Code	Signature
Attorney For Petitioner:		Address Telephone N
		Address Telephone No. 21228
lame - Type or Print		City State Zip Cod
		Representative to be Contacted:
Signature		
Company		Name Name
Address	Telephone No.	86 John Stra Unit B 410-857- 7 P. Address Telephone No.
(. releptione No.	
City State	Zip Code	City State Zip Code
Public Hearing having been formally demand the day of the egulations of Baltimore County and that the proper	at the eighiert motter of th	required, it is ordered by the Zoning Commissioner of Baltimore Count is petition be set for a public hearing, advertised, as required by the zoning.
		Zaning Complesioner of Bullium County
CASE NO. 02-057	-A Davi	Zoning Commissioner of Baltimore County

Estimated Posting Date

James Residence:

"Undue Hardship"

- (i) As shown on the attached plat & photos, the home has been situated on the property shifted all the way to one side. This creates the need to seek relief from the 25' rear set back to 12'. The only possible location to add a Sunroom as extension of their living area is on the rear of the property. Due to the cellar way located on the other side, the current location for the proposed Sunroom is the only available location. This layout does not allow reasonable use to any other location. The James' purchased the property with full expectations on adding a Sunroom Addition, to gain the required space for their growing family. Architecturally, this is the only side of their home to add a Sunroom Addition, to serve the family needs. Aesthetically, it is the best location for the Addition without any adverse effects.
- (ii) This is unusual from other homes in the community, as other lots are more centrally located, and would not require relief.
- (iii) This hardship was not the result of the applicant's own action.

When Mr. & Mrs. James purchased this home, they fully intended to enclose the rear patio in the future, providing more living space. We respectfully request the permission from the Hearing Officer, to add a Four Seasons Sunroom Patio Enclosure to their existing, 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 limited possible areas on which the homeowners could improve. Relief would also allow the James' to make reasonable additions to their home, keeping their improvement in line with the neighboring properties.

ZONING DESCRIPTION FOR 2001 Cedar Circle Drive, Baltimore, MD 21228

Beginning at a point on the South side of Cedar Circle Drive which is 20' wide at the distance of 149.94' Northeast of the centerline of the nearest improved intersecting street Colebrook Road which is 20' wide. Being Lot #6, Block -- in the subdivision of Westerlee as recorded in Baltimore County Plat Book GLB23, Folio #43, containing 23,191 square feet. Also known as 2001 Cedar Circle Drive and located in the 1st Election District.

Typical metes and bounds: N.70 56' 10"W, 509 03'50"W., 570 56'10"E., N19 03'50"E to the place of beginning.

055

CERTIFICATE OF POSTING

,	RE: Case No.: 07-055-A
	Petitioner/Developer:
	HOWARD JONES
	Date of Hearing/Closing: 8-27-0
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 posted conspicuously on the property lo	
The sign(s) were posted onAUGU	ST 10, 2001 (Month, Day, Year)
	Sincerely,
RECEIVED AUG 1 3 2001 DEPT OF PERMITS AND DEVELOPMENT MANAGEMENT	(Signature of Sign Poster and Date) (Signature of Sign Poster and Date) (Printed Name) 3225-127ERSOLI (MCCLE (Address) (Address) (City, State, Zip Code) (410) 247-4763 (Telephone Number)
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ROOM SOLEET FOR A SON-A VARIANCE TO PERMIT A
REAR YARD SETBACK OF CASE #

AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A RUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. on AUGUST 27,200/
ADDITIONAL INFORMATION IS AVAITABLE AT
100016 ADDITIONAL INFORMATION AND EVELOPMENT MANAGEMENT TEL 887-3391

ECTIVAL IS HANDICAP ACCESSIBLE



DEPARTMENT F 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.

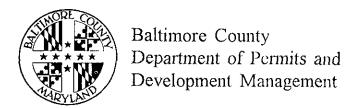
For Newspaper Advertising:
Item Number or Case Number:
Petitioner: Howard Wilhelmina James
Address or Location: 2001 Cedar Circle Drive, Baltimore, mp 21228
PLEASE FORWARD ADVERTISING BILL TO:
Name: Howard & Wilhelmina James
Address: 2001 Cedar Circle Drive
Bastinge, MD 21228
Telephone Number: <u>Чю-тин-сына</u>

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 055 -A Address 2001 CEDAR CIR. DR.
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 8.2-01 Posting Date: 8.12-0 Closing Date: 8.27.0
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 02 055 -A Address 2001 CEDAR Cir DA.
Petitioner's Name Howard James Telephone (410) 744-6640
Posting Date: S. 27.01 Closing Date: 8.27.01
Vording for Sign: To Permit A ZEAR YARD SETRALL OF 17+7.
IN LIEY OF THE PEOVIRED 30ft. FOR A
SUNROOM.

Ko.



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

August 28, 2001

Wilhelmina & Howard James 2001 Cedar Circle Drive Baltimore MD 21228

Dear Mr. & Mrs. James:

RE: Case Number: 02-055-A, 2001 Cedar Circle Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 2, 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. らりて Supervisor, Zoning Review

W. Carl Richards, 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

Vout

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Adv

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

13 7 1.5

8/27

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

The second

DATE: August 24, 2001

AUG 2 7

SUBJECT:

Zoning Advisory Petition(s): Case(s) 02-043 & 02-055

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.

Prenared by:

Section Chief:

AFK/JL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

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. 055

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).

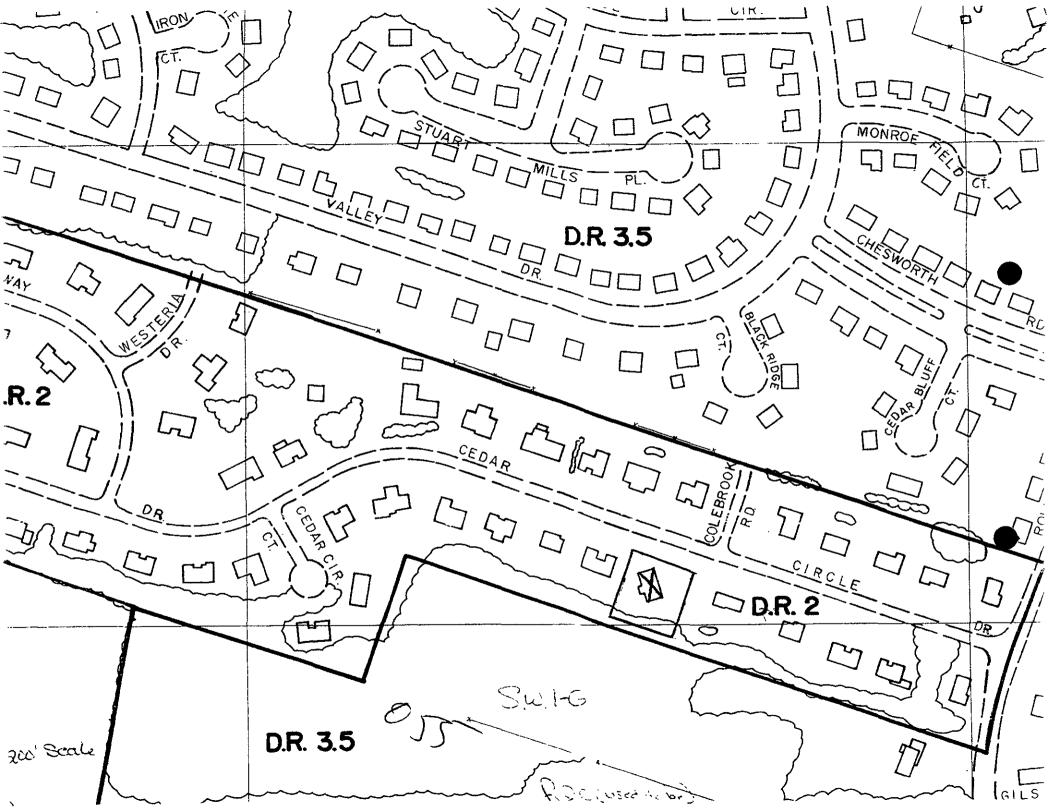
Very truly yours,

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

J. J. Gredle

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Deg #





Location of proposed of ST



Rear yord - Vocation of Proposed Sunson



Focation of Brobosco

