CROTA RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Seneca Road, 1550' E

of Chestnut Road

15th Election District

5th Councilmanic District

(1153 Seneca Road)

Jessica & William Wantland

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

k CASE NO. 02-071-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Jessica and William Wantland, the legal owners of the subject property. The variance request is for property located at 1153 Seneca Road in the Bowleys Quarters area of Baltimore County. The Petitioners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing accessory building (garage) with a proposed height of 25 ft. in lieu of the maximum allowed 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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 day of September, 2001, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing accessory building (garage) with a proposed height of 25 ft. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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, Petitioners 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.
- 2. The Petitioner or subsequent owners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. In addition, the accessory structure should not be used for commercial purposes.
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IMOTHY M. KOTROCO

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 25, 2001

Mr. & Mrs. William G. Wantland 1153 Seneca Road Baltimore, Maryland 21220

> Re: Petition for Administrative Variance Case No. 02-071-A Property: 1153 Seneca Road

Dear Mr. & Mrs. Wantland:

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

Sunthy Hotroco

TMK:raj Enclosure



# CBOCA

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 1153 School which is presently zoned

I/We do solemnly declare and affirm, under the penalties of

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) +00,3 (BCZR) to permit an existing accessory building (garage) with a proposed height of 25 feet in lieu of the maximum allowed 15 feet.

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.

			is the subject of this Petition.
Contract Purchaser/Less	<u>see:</u>		Legal Owner(s):
Name - Type or Print			Name-Type or Print
Signature			Signature & Walland
		<u>'</u>	Jessica J Wontland
Address		Telephone No.	Name - Type or Print
City	State	Zip Code	Agnature Can J. Wantland
Attorney For Petitioner:		•	1153 Senera TO 344-193 Address Telephone No.
Name - Type or Print		-	Baltimore Md 21220 City State Zip Code
Signature	····	<del></del>	Representative to be Contacted:
Company	<u></u>		Name Justica Justian
Address		Telephone No.	1153 Severa rd 344-1932 Address Telephone No.
Scity	State	Zip Code	Baltmard md 21220 State Zip Code
A Public learing having been for this	mally demanded	l and/or found to be	e required, it is ordered by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning
regulation of Baltimore County and	that the property	be reposted.	this petition be set for a public healing, advertised, as required by the zonling
		1	
	<b>~</b>	•	Zoning Commissioner of Baltimore County
$CASENO.$ $U\lambda$	011-A	Rev	viewed By Date
R2019/15/98		Est	timated 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 the Affiant(s) does/do presently reside at	Address	<u>wcca</u>	<u>-10</u>	
	Balton	<u>~(</u>	State	2/22 () Zfp Code
That based upon personal knowledge, the followariance at the above address (indicate hardship and the second secon	o or practical diffi	cuity):		quest for an Administrative
1) there is no space due to Layout of proper a) we consider put as it under 15 Feet				
3) more thow a do have second s 1143,1144,1225 chestout, 3826 4) This structure wi	sen of bonics seneco 13902	ner pro on the and, u	1049, 40 12970 N	10000 Nichbo 1000 - 1161 100,3812,380
1) This structure will view.	is ai li	2 man	isterfer	ewith the
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	ormal demand is additional informa	filed, Affiant( tion.	s) will be require	ed to pay a reposting and
Willepm & Walland		1.1	V	intland
William G. Weuthaw Name - Type or Print		Name - Type or	Print J. U.	DowHard
STATE OF MARYLAND, COUNTY OF BALTIN	^			
of Maryland, in and for the County aforesaid, per				Notary Public of the State
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	factorily identified orth are true and	to me as su	ch Affiant(s), and best of his/her/the	made oath in due form of eir knowledge and belief.
AS WITNESS my hand and Notarial Seal		les (	Rosa H TTY	Vingo
Date O	Notary I My Con	noission Expi	res <u>(//</u> /2ex	f

REV 09/15/98

# 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.

	11 = 2
That the Affiant(s) does/do presently reside at	1153 SCNECO Kd
	Baltmore Md 21220
Variance at the above address (indicate hardshi	wing are the facts upon which I/we base the request for an Administrative p or practical difficulty):
11 There is NO space	where we can add on to the
house due to la	e where we can add on to the engat of property.
2) we cannot put a	s addition on to thegarage
and keep it unde	s addition on to thegarage
	Egoson other biobarties in on
is ignificant wood it	lave and stories add It the
grages - 1161/1143	1144,1226 2000 20 1004, 4016, 3812 1014,1016, 3812 1014, 4016, 3812
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	mal demand is filed, Affiant(s) will be required to pay a reposting and
William & Warilard	Jesuca Wanttand
William & West LAND Name - Type or Print	Name - Type or Print
CTATE OF MADY, AND COUNTY OF DALLTIN	
STATE OF MARYLAND, COUNTY OF BALTIN	
of Maryland, in and for the County aforesaid, per	
the Affiant(s) herein, personally known or satisf	r Zessice Wout loud factorily identified to me as such Affiant(s), and made oath in due form of orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	Roud Thata
Date	Notary Public
REV 09 15 98	My Complission Expires 8/1/2004



REV 9/15/98

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 1153 Scheco which is presently zoned

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) 400,3 (BCZR) to permit an existing a cressory building (garage) with a proposed height of 25 feet in lieu of the 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: <u>Legal Owner(s):</u> Name - Type or Print Signature Address Telephone No. Name - Type or Pri City State Zip Code Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. Telephone No. City State Zip Code State A 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

Estimated Posting Date

### **EXAMPLE 3 -- Zeging Description**

3 COPIES

<u>Three</u> copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 1153 Seneca To (address)
Beginning at a point on the Conth, south, east or west) side of
name of street on which property fronts) which is 30 feet (number of feet of right-of-way width)
wide at the distance of 1,550 Feet Feet of the (north, south, east or west)
centerline of the nearest improved intersecting street Chestury (name of street)
which is 30 Fcc + wide. *Being Lot # \(\frac{15 C}{\text{number of feet of right-of-way width}}\)
Block NA, Section #NA in the subdivision of Bowley's Owders (name of subdivision)
as recorded in Baltimore County Plat Book #, Folio #,
containing 14, 15 Oaff. Also known as 1153 30000 (property address)
and located in the 15 Election District, 5 Councilmanic District.

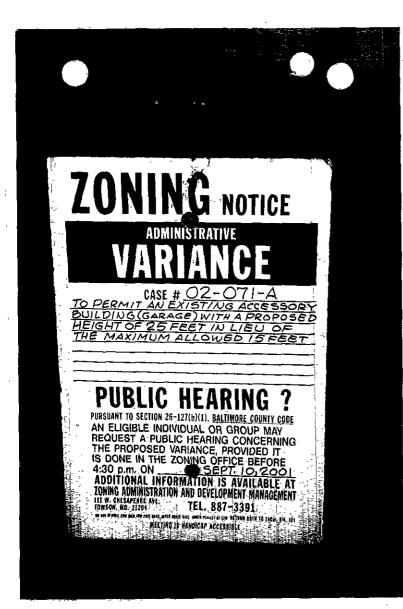
\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_, Folio \_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

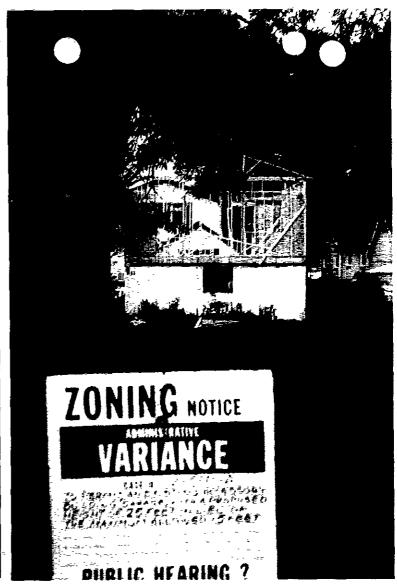
Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

02-07/-A

BALTIMORE COUNTY, MARYLODO OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	561	FAID RECEIPT
DATE 8/16/0/ ACCOUNT AMOUNT \$	R-001-006-61 S 0100	<u>'50</u>	PAYMENT ACTUAL THE BAT7/2001 BA16/2001 15:24:14 CEL MOOT CASHIER JRTG JAR BRAMER 1 THECETIT # 050622 OFLN DRIT 5 528 ZONDHG CERTECATION TRING. 005615
FOR: _ , dm , Variance	02-071-1	<u> </u>	Recet Tot 50.00  ON CK 100.00 CA  50.00- CG  Outliners County, Maryland
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CI		·	CASHIER'S VALIDATION
		ger Kiljanngder inder	Alapa - and white wife in all the state of the

.





### CERTIFICATE OF PO

	RE: Case No.: 02-071-A
	Petitioner/Developer:
	WARTLARD
	Date of Hearing/Closing: SEPT, 10, 200
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 lo	SENECA ROAD
	Sincerely,
	(Signature of Sign Poster and Date)  C7ARLAND E. MOONE  (Printed Name)  3225/2/ERSON (CMCLE  (Address)  PACTIMONE, MD. 2127  (City, State, Zip Code)
· ,	(410) 247-4763
	(Telephone Number)

RECEIVED

AUG 2 4 2001

DEPT OF PERMIS 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.

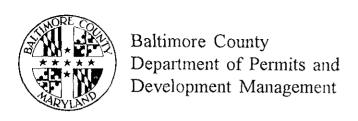
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 62.07/-A
Petitioner: William and Jessica Woutland
Address or Location: 1153 Scheca Rd, Baltimore Md. 2000
PLEASE FORWARD ADVERTISING BILL TO:
Name: Jessica Wanthaw
Address: 1153 Severa rd. Baltimore Nd. 21220
Telephone Number: <u>(410 ) 344 - 1932</u>

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT **ZONING REVIEW** 

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 0'11 -A Address 1153 Senera Road
Contact Person: <u>Je'ffrey Perlow</u> Phone Number: 410-887-339
Contact Person: <u>Jeffrey Perlow</u> Phone Number: 410-887-339.  Filing Date: 8/16/01 Posting Date: 8/26/01 Closing Date: 9/10/c/
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 petitione 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. <b>DEADLINE:</b> 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- 671 -A Address 1153 Scheca Road
Petitioner's Name Wantland Telephone 410-344-1932
Posting Date: 8/26/0/ Closing Date: 9/10/0/
Nording for Sign: To Permit an existing accessory building (garage) with a proposed height of 25 feet in lieu of the maximum allowed 15 feet
WCR - Revised 6/28/00



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

September 13, 2001

Jessica J & William G Wantland 1153 Seneca Road Baltimore MD 21220

Dear Mr. & Mrs. Wantland:

RE: Case Number: 02-071-A, 1153 Seneca Road

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

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. らうて Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

C: People's Counsel

#### LTIMORE COUNTY, MARYI AND

#### TEROFFICE CORRESPONDE VCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

**DATE:** October 16, 2001

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 24, 2001

Item Nos. 071, 072,073, 074, 075, 076, 077, 078, 079, 081, 082, 083, 084, and

085

The Bureau of Development Plans Review has reviewed the subject zo sing items, and we have no comments.

RWB:HJO:jrl

cc: File





700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

September 19, 2001

3 ( )

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 September 17, 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:

071, 072, 075, 076, 077, 079, 080, 081, 082, 083, and 084

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

cc: File

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

ТО:	Arnold Jablon
FROM:	R. Bruce Seeley
DATE:	October 4, 2001
SUBJECT:	Zoning Item 71: 5 Address 1153 Seneca Road
Zoning	g Advisory Committee Meeting of 9/17/01
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	If streams or wetlands occur on or within 200 feet of the property, the development of the property may need to comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
<u>X</u>	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
	Additional Comments:

Reviewer: Kieth Kelley Date:10/2/01



### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September, 2001

Department of Permits and **Development Management** 

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1153 Seneca Road

**INFORMATION:** 

Item Number:

02-071

Petitioner:

William G. Wantland

Zoning:

RC<sub>5</sub>

**Requested Action:** 

Variance

#### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning does not support the request. It is incumbent upon the petitioner to demonstrate practical difficulty or unreasonably hardship.

Section Chief: Off W. Leng



### Maryland Department of Transportation State Highway Administration

5日26

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 9.19.01

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

RE:

**Baltimore County** 

Item No. 07/

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).

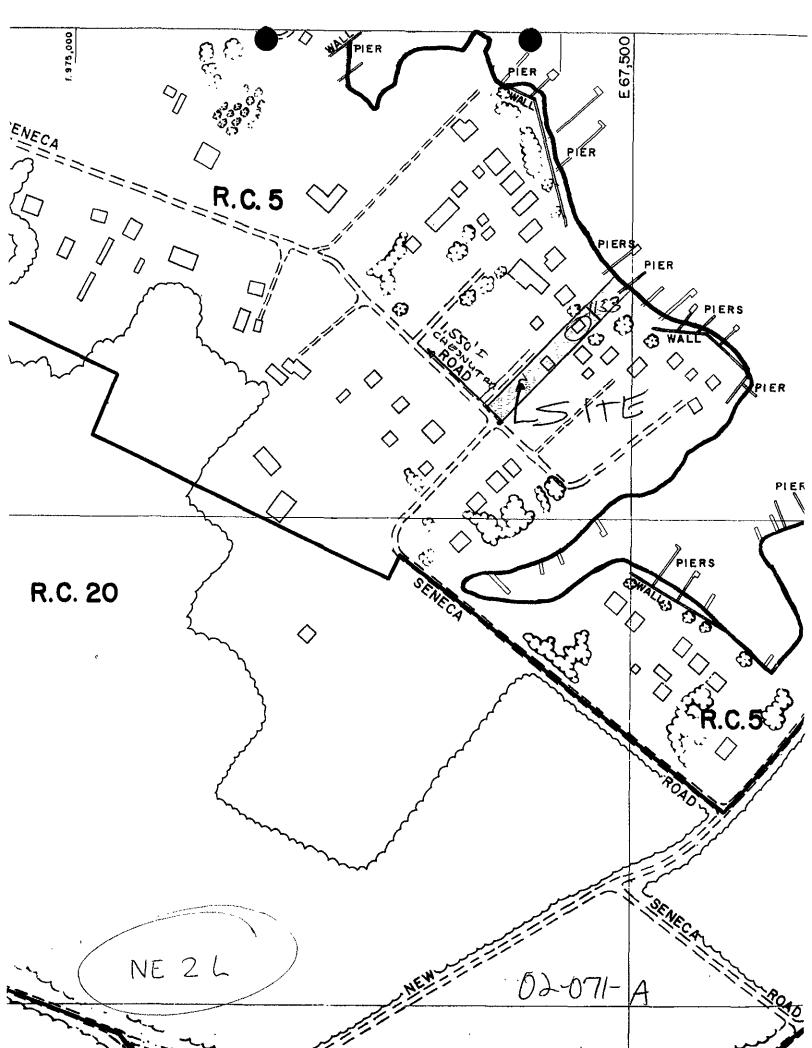
Very truly yours,

f. f. Gredle

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

My telephone number is:

12. G. #





View from Lot #160 partial shot of garage

12-071-A



View from our driveway

02-071-A



View From Back gard

02-071-A

