

IN RE: PETITION FOR ADMIN. VARIANCE

N/S of Orems Road, 300' W
of Gilder Drive
15th Election District
5th Councilmanic District
(918 Orems Road)

Michael Altmeyer
Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 02-075-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 owner of the subject property, Michael Altmeyer. The variance request is for property located at 918 Orems Road, in the eastern area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 8 ft. and side yard setback of 6 ft. in lieu of the required 30 ft. and 10 ft. respectively for a proposed sunroom addition. 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 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 Petitioner.

ORDER RECEIVED FOR FILING

Date

9/18/01

By: [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of September, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 8 ft. and side yard setback of 6 ft. in lieu of the required 30 ft. and 10 ft. respectively for a proposed sunroom addition, 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 his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at this 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER BY *9/18/01* *F. James*



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 18, 2001

Mr. Michael Altmeyer
918 Orems Road
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 02-075-A
Property: 918 Orems Road

Dear Mr. Altmeyer:

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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

ORIGINAL KEEP IN FILE.



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 918 OREMS RD.

which is presently zoned DR5.5

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) 1 B02, 3.C.1 TO PERMIT A REAR YARD SETBACK OF 8 FT. AND A SIDE YARD SETBACK OF 6 FT. IN LIEU OF THE REQUIRED 30 FT. AND 10 FT, RESPECTIVELY: (FOR A PROPOSED SUN ROOM ADDITION)

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 9/15/98 day of September 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.

Legal Owner(s):

x MICHAEL ALTMAYER

Name - Type or Print

x Michael Altmeyer

Signature

Name - Type or Print

Signature

x 918 OREMS Rd (410)

Address

Telephone No.

x BALTO, Md x 21221

City

State

Zip Code

Representative to be Contacted:

MICHAEL ALTMAYER

Name

918 OREMS Rd (410)

Address

Telephone No.

BALTO Md. 21221

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By NL

Date 8/26/01

Estimated Posting Date

CASE NO. 02 075 A

REU 9/15/98

ORDER RECEIVED FOR FILING

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 918 Orem Rd.
Address
Baltimore, md. 21221
City State Zip Code

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):

Due to my current medical condition I would like to apply for an Administrative Variance to permit a sunroom addition to the rear of my house. In March 1978, I had a stroke that forced my retirement. In November 1985 I was diagnosed with Asbestos Lung Disease. I feel that this addition would allow me to enjoy the birds and wildlife that frequent my rear yard, excluding my restraints. The property that adjoins my rear property line is a buffer, approximately 100 ft. and runs the length of the 1947 Altmeyer subdivision. It adjoins the Ken-Lee Mobile Home Park. My family has maintained this property since 1929. THERE IS NO OTHER PLACE ON THE DWELLING WHERE THIS CAN REASONABLY BE PLACED.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

x Michael Altmeyer
Signature
x MICHAEL ALTMAYER.
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of August, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

x Michael Altmeyer
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

x August 18, 2001
Date

x Carol A. Altmeyer
Notary Public

My Commission Expires x 01-01-2003

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City State Zip Code

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x Michael Altmeyer
Signature

Signature

x MICHAEL ALTMEYER
Name - Type or Print

Name - Type or Print

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x Michael Altmeyer
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AS WITNESS my hand and Notarial Seal

x August 18, 2001
Date

x Carol A. Altmeyer
Notary Public

My Commission Expires 01-01-2003

ZONING DESCRIPTION - 918 OREMS RD.

BEGINNING AT A POINT ON THE CENTERLINE OF OREMS RD. (20' PAVING) AT A DISTANCE OF 300 FT. WEST OF GLIDER DRIVE, THENCE LEAVING GLIDER DRIVE IN A N. WESTERLY DIRECTION 107.49 FT., THEN S. WESTERLY 91.32', THEN S. WESTERLY 65.12 FT. BACK TO THE CENTERLINE OF OREMS RD. THENCE BINDING ALONG THE CENTERLINE OF OREMS RD IN A EASTERLY DIRECTION 129.27 FT. BACK TO THE POINT OF BEGINNING. BEING .221 AC± IN THE 15TH E.D., 5TH COUNCIL DIST.

075

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5706

DATE

8/20/01

ACCOUNT

001 006 6150

AMOUNT

\$ 50.00

RECEIVED
FROM:

ALTMAYER

FOR:

RV FILING

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT

ACTUAL

TIME

8/21/2001

8/20/2001

12:59:04

REF

MS01

CASHIER JRIL

JMR: DRAWER

1

RECEIPT # 059012

DEPN

Port

5 528 ZONING V RIFICATION

REF

NO. 005706

Recpt To

50.00

60.00 CK

.00 CA

10.00 RF

Baltimore County Maryland

CASHIER'S VALIDATION

CERTIFICATE POSTING

RE: Case No.: 02-075-A

Petitioner/Developer: MICHAEL

ALTMAYER

Date of Hearing/Closing: 9/17/01

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:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 918 OREMS RD

The sign(s) were posted on 9/2/01
(Month, Day, Year)

Sincerely,

[Signature] 9/2/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

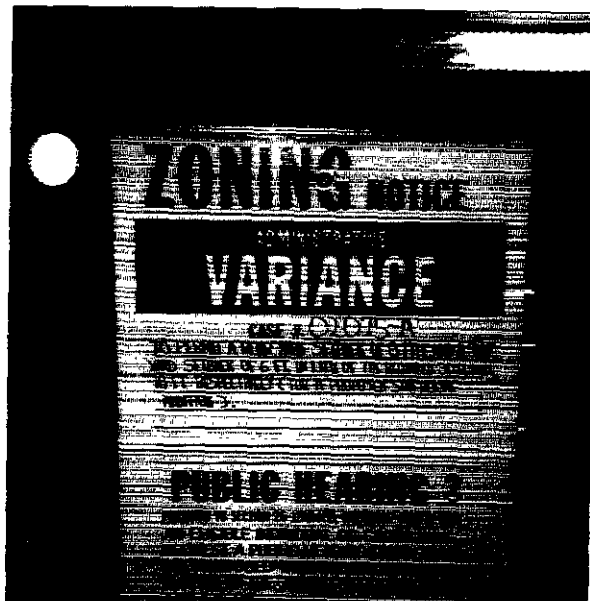
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(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: 02-075A

Petitioner: MICHAEL ALTMAYER

Address or Location: 918 OREMS RD BALTO, MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL ALTMAYER

Address: 918 OREMS RD

BALTO., MD 21221

Telephone Number: (410) 682-2282

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 075 -A

Address 918 OREMS RD

Contact Person: JOHN LEWIS
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 8/20/01

Posting Date: 9/02/01

Closing Date: 9/17/01

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.
3. **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- 075 -A

Address 918 OREMS RD

Petitioner's Name ~~JOHN LEWIS~~ MICHAEL ALTMAYER Telephone 410-682-2282

Posting Date: 9/02/01

Closing Date: 9/17/01

Wording for Sign: To Permit A REAR YARD SETBACK OF 8 FT. AND A SIDE YARD SETBACK OF 6 FT. IN LIEU OF THE REQUIRED 30 FT. AND 10 FT. RESPECTIVELY (FOR A PROPOSED SUN ROOM ADDITION)



Baltimore County
Department of Permits and
Development Management

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

September 17, 2001

Michael Altmeyer
918 Orems Road
Baltimore MD 21221

Dear Mr. Altmeyer:

RE: Case Number: 02-075-A, 918 Orems Road

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

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

WCR: gdz

Enclosures

C: People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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 zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

September 19, 2001

SEP 20

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

Come visit the County's Website at www.co.ba.md.us



AV
9/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: September 20, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SEP 21

SUBJECT: 918 Orems Road

INFORMATION:

Item Number: 02-075

Petitioner: Michael Altmeyer

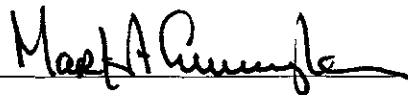
Zoning: DR 5.5

Requested Action: Variance

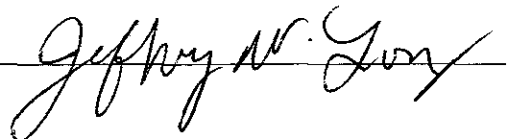
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a rear yard setback of 8 feet and a side yard setback of 6 feet in lieu of the minimum required 30 feet and 10 feet respectively.

Prepared by:



Section Chief:



AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5-19-01

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

RE: Baltimore County
Item No. 075 J L

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).

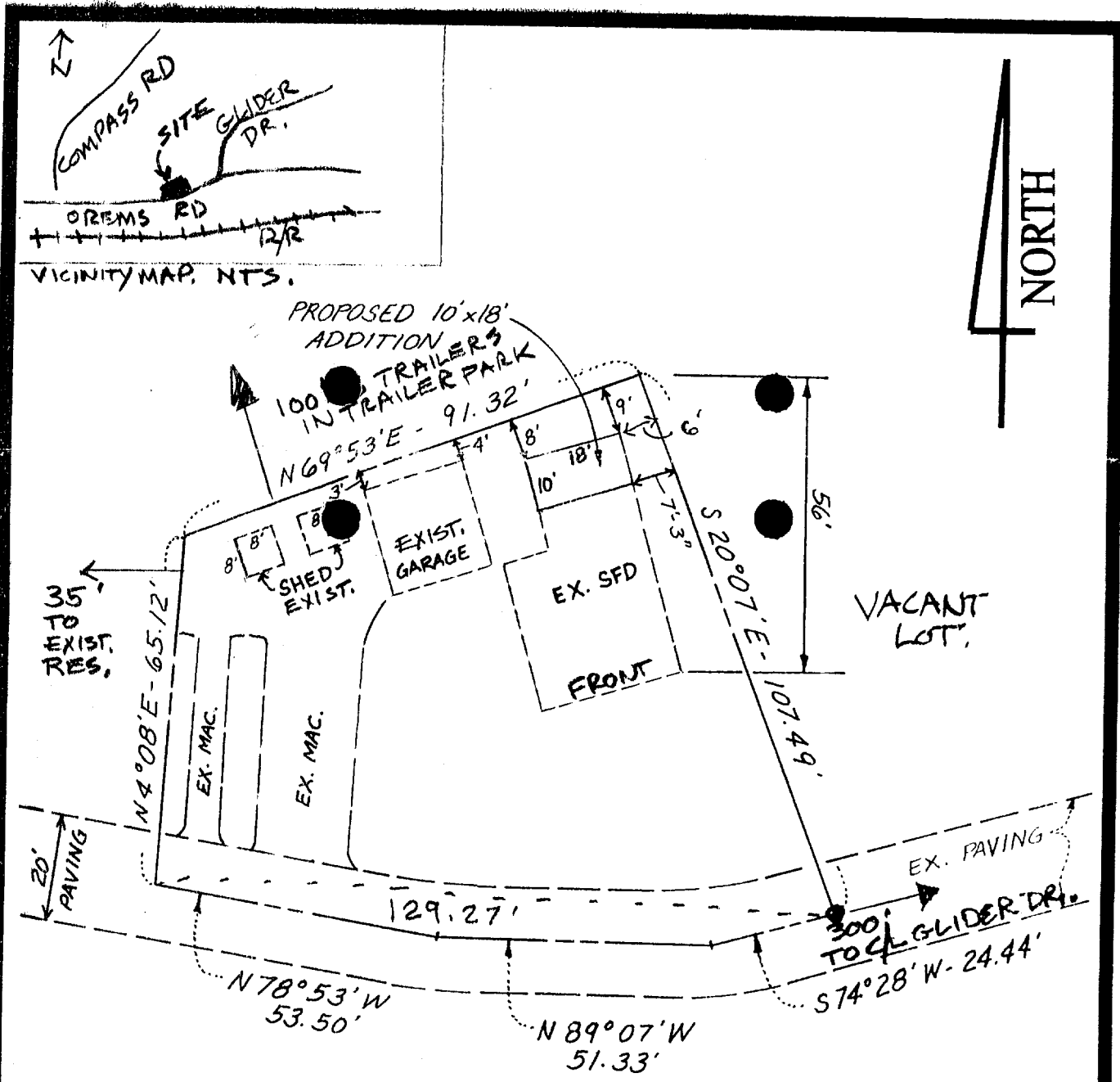
Very truly yours,

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



OREMS ROAD

PLAT TO ACCOMPANY PETITION FOR ADMINISTRATIVE VARIANCE

OWNER: MICHAEL ALTMAYER

TAX I.D. 15-01-350551

PROPERTY ADDRESS : 918 OREMS ROAD

BALTIMORE, MD 21221

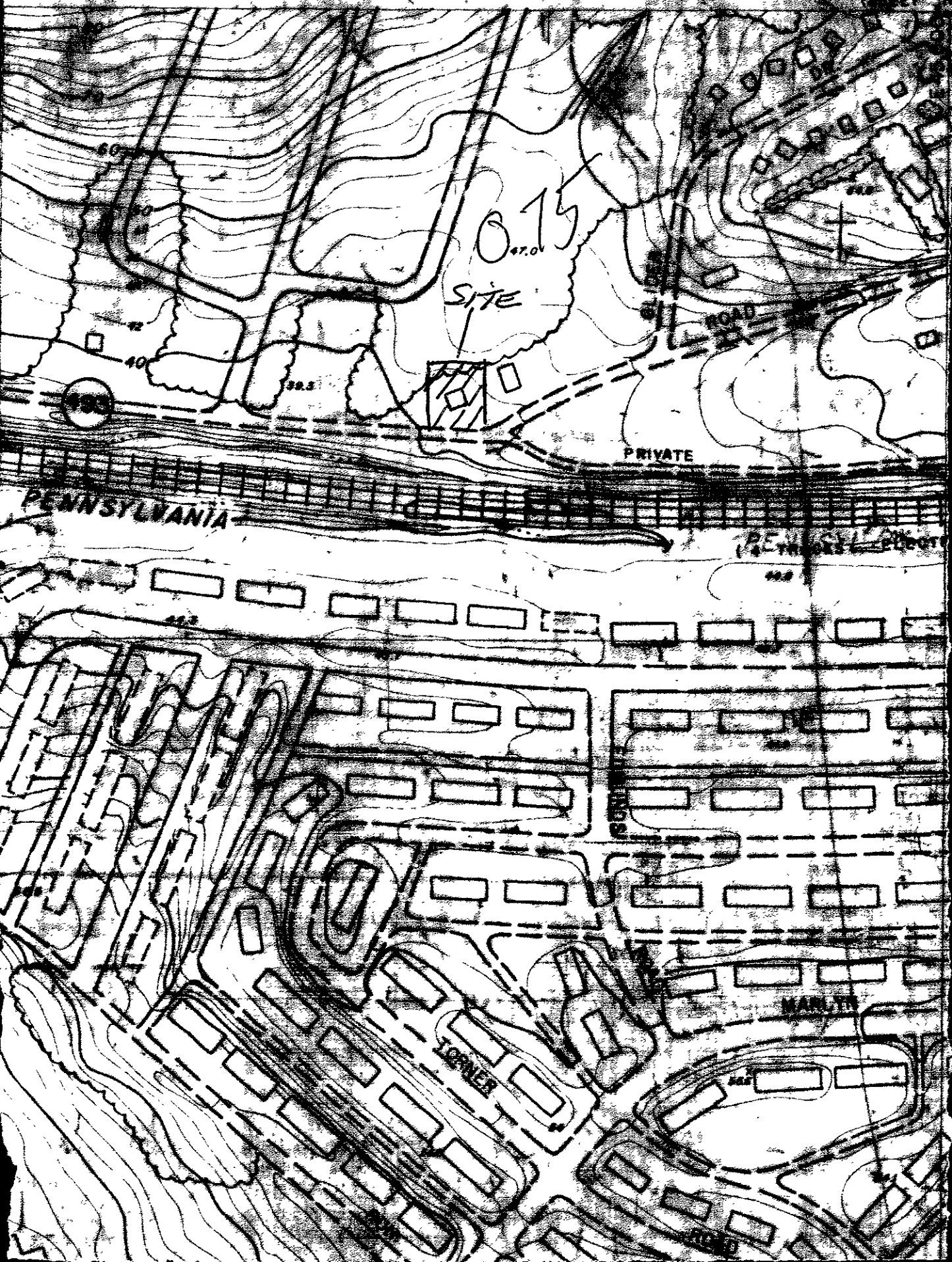
SUBDIVISION NAME: ALTMAYER SUBDIVISION 1947

ZONING: D.R. 5.5 MAP # NE - 3H

PLAT BOOK: 0000 FOLIO: 0000 LOT: 0000 SECT: 0000

ELECTION DISTRICT: 15

NESH



D.R.10.5

MARLYN

918 CRENS ROAD
NE 3 H
15th DIST

CORBY

ARNCLIFFE

D.R.10.5

(4 TRACKS ELECTRIIFIED)

NIA

D.R. 5.5

78

GLIDER

SITE

3E 45,000

OR

(SHEET N.E. 4-H)

STEPHEN

DEL 130

NE 34



