IN RE: PETITION FOR VARIANCE
W/S Cloverland Drive, 4050'
Centerline intersecting Dance Mill Road
10th Election District
6th Councilmanic District
(4005 Cloverland Drive)

Sara A. & James L. Ball
Petitioners

* * * * * * *

BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-079-A

* * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 4005 Cloverland Drive in the Cloverland Farms subdivision of Baltimore County, located near Loch Raven Reservoir. The petition was filed by James L. Ball and Sara A. Ball, property owners. Variance relief is requested from Section 1A03.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a structure (primary dwelling) to be 40 ft. high in lieu of the required 35 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the petition for variance.

Appearing at the hearing held for this case was James L. Ball, property owner. There were no protestants or other interested persons present.

Testimony and evidence presented was that the subject property is an unimproved parcel, known as Lot #17, in the residential subdivision known as "Cloverland Farms". The property is 6.679 acres in area, zoned R.C. 4. The property is located near Dulaney Valley Road, near the Loch Raven Watershed. "Cloverland Farms" is a residential subdivision which features substantial single-family dwellings on large lots.

Mr. Ball testified that due to the constraints associated with the lot (i.e., grade and configuration), he and his wife propose constructing a 3-story English Country Style dwelling on the lot. He indicated that he had submitted his building elevation plans to the Cloverland Farms Community Association and that they were approved. Apparently, the proposed structure will be

SECTION OF CONTRACTION OF CONTRACTIO

similar to other houses in the community. Additionally, he produced a letter from the immediately adjacent next door neighbor of Lot #16, Geoffrey Carpenter. Mr. Carpenter supports the project. Finally, it is to be noted that the Zoning Advisory Committee (ZAC) comment from the Office of Planning supports the request.

In any event, the Petitioners seek zoning relief to allow a slightly larger height of the building. Noted above, the height is driven by the style of the house, which will feature a steeper roof pitch. The variance is minimal and, given the size of the lot and character of the community, it surely will not detrimentally impact adjacent properties.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request is consistent with Section 1A03.4.A of the B.C.Z.R. and should be granted.

THEREFORE, IT IS ORDERED this day of October, 2001, by this Zoning Commissioner, that the Petitioners' request for variance from Section 1A03.4.A of the B.C.Z.R., to permit a structure (primary dwelling) to be 40 ft. high in lieu of the required 35 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, 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.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER

FOR BALTIMORE COUNTY

LES:raj



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

Fax: 410-887-3468

October 16, 2001

Mr. & Mrs. James L. Ball 11 Rhodes Place Timonium, Maryland 21093

> Re: Petition for Variance Case No. 02-079-A Property: 4005 Cloverlan

Property: 4005 Cloverland Drive

Dear Mr. & Mrs. Ball:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4005 Cloverland Drive which is presently zoned RC 4

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)

Bill No. 113-92 Section 2

BE 40 FT HIGH IN LIEW OF 35 FT.

1A03.4A, Height Regulations To PETIMET A STRUCTURE (House) TO

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

- 1. Unnecessarily Burdensome Strict compliance of the height regulations would necessitate a redesign of the entire structure and eliminate the usefulness of 1,245 square feet of finished living space.
- 2. Injustice to Applicant Several of the existing homes in Cloverland Farms already exceed the 35 foot height limitation. Restricting our design would make the structure inconsistent with the bulk, massing and archectual rhythm of our neighbors. See letter of Variance Approval from homeowner on adjoining property, (Lot #16) dated August 17, 2001. The design as submitted to the County received approval from Cloverland's Architectural Committee.
 - Spirit of Ordinance Granting this variance would be in keeping with the spirit of the ordinance. This request is not a significant variation from the code and it would allow us to construct a home that has already been approved by the Architectural Committee for Cloverland Farms and our adjoining neighbor. 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.

Contract Purchaser/Lessee:				
Name - Type or Print				
Signature				
Address		Telephone No.		
City	State	Zip Code		
Attorney For Petition	ner:			
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·			
9 1 1		e		
Signature				
Company	<u> </u>			
Address		Telephone No.		
City 9	State	Zip Code		
Case No. 02-0	79-A			
स्थिता है।				

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.

l egal Owner(s):

James L. Ball		
Name Type or Print		
$(\Delta z - 2)$	KILL	
Signature)		
Sara A. Ball		
Name - Type or Print		
Sara a. Ball	7	
Signature	(W)	410-316-8741
11 Rhodes Place	` ,	110-308-0406
Address		Telephone No.
Timonium,	Maryland	21093
City	State	Zip Code
Representative to b	e Contacted:	
Name		
Address		Telephone No.
City	State	Zip Code
OFFIC	E USE ONLY	
ESTIMATED LENGTH	OF HEARING	9
UNAVAILABLE FOR I	HEARING Date	10-15-8

ZONING DESCRIPTION FOR 4005 Cloverland Drive

Beginning at a point on the	e West		side of
Cloverland Drive	which is	50 feet	
wide at the distance of	4,050 feet	West	of the
centerline of the nearest in	proved intersecting	g Street <u>Dar</u>	nce Mill Road
which is 60 feet	wide. Being Lot#	17	<u>.</u>
Block, Section #	in the subdiv	ision of Cla	overland Farms
as recorded in Baltimore C	County Plat Book #	<u>64</u> , Folio #	84,
containing 6.679 acres	. Also known as _4	1005 Clover	land Drive
and located in the 10th Ele	ection District,	oth Coun	cilmanic District

OFFICE O MISCEL	ORE COUNTY, NE BUDGET & FINAN LANEOUS RECE	PT	, i	1 0. ;	573 9	PAID PAYMENT B/ZZ/2001 CAS	HIER ARII.	TIME 12:03:52 DR DRAKER 1
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FOR: DISTRIBUTION WHITE - CASH		TELOW-	CUSTOMER	SKE		CAS	HIER'S VAL	.IDATION

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NOTICE OF ZUILING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson. Maryland on the property identified herein as follows:

Case: #02-079-A 4005 Cloverland Drive W/S Cloverland Drive, 4050' centerline intersecting Dance Milt Road 10th Election District 6th Councilmanic District Legal Owner(s): Sara A. & James L. Ball Variance: to permit a structure (house) to be 40 feet high in lieu of the allowed 35 feet. Hearing: Monday, October 15, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-RUE.

LAWRENCE E. SCHMIDT\
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are

NOTES: (1) Hearings are Hamdicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. 9/286 Sept. 27 C496305

CERTIFICATE OF PUBLICATION

927,2001
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 927,2004.
☑ The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

CERTIFICATE F POSTING

	RE: Case No.: 02-079-A
	Petitioner/Developer:
	SARA & JAMES BALL
	Date of Hearing/Closing: 10/15/01
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
	y located at
1005 C	OVERLAND DR.
<u> </u>	OVERLAND DR.
The sign(s) were posted on	9/29/01
	(Month, Day, Year)
ASE # 02-079-A	g
	Sincerely,
	\mathcal{A} α .
	6 fulled & Aff 9/29/01
	(Signature of Sign Poster and Date)
The state of the s	RICHARD E. HOFFMAN
the first of the control of the cont	(Printed Name)
	904 DELLWOOD DR.
The second secon	(Address)
The same of the sa	FALLSTON, MO 21047
Transaction of the Control of the Co	(City, State, Zip Code)
	·
	(410) 879·31ZZ
	(Telephone Number)
	1
005 CLOUERLAND DR.	: !

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: 02-079-4
Petitioner: JAMES & SARAHBAU
Address or Location: 4005 Cloven pur Pr
PLEASE FORWARD ADVERTISING BILL TO:
Name: SATIAN BALL.
Address: 11 Ritores PLACE.
- Lunonjun Mo 21093.
Telephone Number: (w)4(0 - 316 8741 (H) 410 - 308 0406

Revised 2/20/98 - SCJ

	prepared by: Scale of Drawing: 1'=
Zoning Office USE ONLY!	North
WATER:	
SEVIER: DIVIN	
Zoning: Lot size: acreage square feet	
1'+200' scale map#:	
Election District: Councilmanic District.	
LOCATION INFORMATION	
Vicinity Map	
	Plat book#,tolio#,lot#,section#
& 6 of the CHECKLIST for additional required information	PROPERTY ADDRESS:see pages 5 & 6 of the (
e Special Hearing	Plat to accompany Petition for Zoning Variance

TO: PATUXENT PUBLISHING COMPANY

Thursday, September 27, 2001 Issue – Jeffersonian

Please forward billing to:

Sara & James Ball 11 Rhodes Place Timonium MD 21093

410 316-8741

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-079-A 4005 Cloverland Drive

W/S Cloverland Drive, 4050' centerline intersecting Dance Mill Road

10th Election District – 6th Councilmanic District

Legal Owners: Sara A & James L Ball

<u>Variance</u> to permit a structure (house) to be 40 feet high in lieu of the allowed 35 feet.

HEARING:

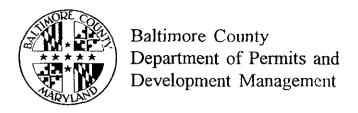
Monday, October 15, 2001 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT G > Z ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

September 18, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-079-A 4005 Cloverland Drive

W/S Cloverland Drive, 4050' centerline intersecting Dance Mill Road

10th Election District – 6th Councilmanic District

Legal Owners: Sara A & James L Ball

Variance to permit a structure (house) to be 40 feet high in lieu of the allowed 35 feet.

HEARING: Monday, October 15, 2001 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

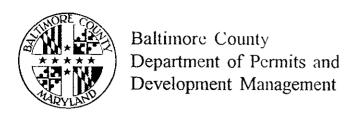
Arnold Jablon らって Director

C: Sara A & James L Ball, 11 Rhodes Place, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 29, 2001.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

October 12, 2001

Sara A & James L Ball 11 Rhodes Place Timonium MD 21093

Dear Mr. & Mrs. Ball:

RE: Case Number: 02-079-A, 4005 Cloverland Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 21, 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 Ruchards, Jr.

W. Carl Richards, Jr. らかて Supervisor, Zoning Review

WCR: gdz

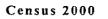
Enclosures

c: People's Counsel











BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

A nold Jablon Director

DATE: October 16, 2001

Department of Permits & Development Mgmt.

FROM:

R) bert W. Bowling, Supervisor B treau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 24, 2001

It m Nos. 071 072,073, 074, 075, 076, 0°7,078, 079, 081, 082, 083, 084, and 0°5

T e 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

September 19, 2001

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

Sim 10/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 1, 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

4005 Cloverland Drive

INFORMATION:

Item Number:

02-079

Petitioner:

James and Sara Ball

Zoning:

RC4

Market Cumpa

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the subject request provided the building architecture is consistent with the elevation drawings dated June 27, 2001

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. 079 JRA

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. J. Sull

RE:	PETITION FOR VARIANCE
4005	Cloverland Drive, W/S Cloverland Dr,
4050'	from c/l intersecting Dance Mill Rd
10th	Election District, 6th Councilmanic

Legal Owner: James L. & Sara A. Ball Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 02-79-A

* * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

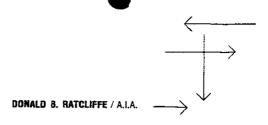
CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of October. 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owner James L. & Sara A. Ball, 11 Rhodes Place, Timonium, MD 21093, Petitioner.

PETER MAX ZIMMERMAN



August 20, 2001

Jim Ball 11 Rhodes Place Timonium, Maryland 21093

Re: Property Residence Mr. Jim and Sara Ball 4005 Cloverland Drive Phoenix, Maryland

Dear Mr. Ball,

We have reviewed the submission for your proposed residence on lot # 17 Cloverland Farms. We wish to advise you the house as submitted is approved. In reviewing your site plan you might wish to consider a circular driveway across the front entry of the house intersecting both the access to the garage and entrance roadway. It would appear that the 470 grade could be adjusted to accommodate this. However, this is not a requirement.

I am certain the house will be most pleasing and my only other comment is that you might consider raising the stone chimneys one to two feet in height.

Yours very truly,

Donald B. Ratcliffe, AIA

Architect

DBR: kag



MCCORMICK & COMPANY, INC. 18 LOVETON CIRCLE, SPARKS MD 21182-6000 USA TEL (410) 771-7301/TELEX 87-410/CABLE 'MCCORMICK'

W. GEOFFREY CARPENTER ASSISTANT SECRETARY AND ASSOCIATE GENERAL COUNSEL (410) 771-7323

August 17, 2001

Via Facsimile

Zoning Office - Baltimore County Towson, Maryland

Re: James & Sara Ball - Lot 17, Cloverland Farms Development

Ladies and Gentlemen:

I understand that James & Sara Ball will be filing a request with your offices that seeks a zoning variance with regard to their planned house construction on Lot 17 of Cloverland Farms. The request will seek an exception to the thirty-five foot grade-to-roof peak height restriction.

My wife and I own the adjoining property (Lot 16). I have reviewed the Ball's house plans and have no objection to the requested exception to the height restriction. I think the Ball's house will be in keeping with the aesthetic characteristics of the Cloverland development

If you have any questions, please feel free to call me at (410) 771-7323.

Sincerely,

16 Caepait

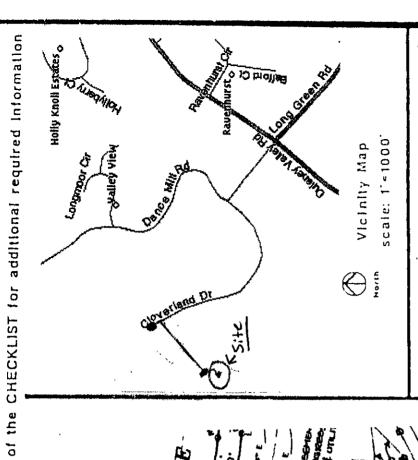
Hearing Special Petition for Zoning |X | Variance to accompany Plat.

ø see pages 5 & PROPERTY ADDRESS:

,lot# 17 ,section# TAMMS Subdivision name: Clouer IAND plat book# 64 ,10110# 84

B

SANA ₹ OWNER: JAMES



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CLOVERIAND

LOCATION INFORMATION

#4013 107

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Councilmanic District: 6 th Election District: 10 th

11-200 scale map#: NE 17D

Zaning.

5 79°10'17

square feet Lot size:

107

#401° LOT 27

32

Ciga

WATER: SEWER:

Chesapeake Bay Critical Area:

ONLY CASE#: USE ITEM Office reviewed by Zoning

200

Drawing:

ō

Scale

prepared date: 81

North

Zoning Hearings: NO

Price

