

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Rockwell Avenue, 262' E
of Old Frederick Road
1st Election District
1st Councilmanic District
(2015 Rockwell Avenue)

Mark Buckheit
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-095-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, Mark Buckheit. The variance request is for property located at 2015 Rockwell Avenue, in the Catonsville area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1951 Regs.), to permit a side yard setback of 4 ft. in lieu of the required 7 ft. 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.

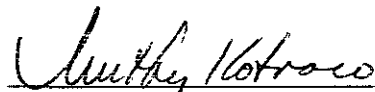
ORDER PROC. TO ZONING

Date 10/19/01
By J. J. Gorman

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 9th day of October, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1951 Regs.), to permit a side yard setback of 4 ft. in lieu of the required 7 ft. 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 RECORDED FOR FILING
Date 10/19/01
By R. G. [Signature]



Baltimore County
Zoning Commissioner

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

October 9, 2001

Mr. Mark Buckheit
2015 Rockwell Avenue
Baltimore, MD 21228

Re: Petition for Administrative Variance
Case No. 02-095-A
Property: 2015 Rockwell Avenue

Dear Mr. Buckheit:

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

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

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2015 ROCKWELL AVE.
which is presently zoned DR 5.5

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) 1802.3.C.1 ; 8C2R, TO PERMIT

A SIDEYARD SETBACK OF 4ft. IN LIEU OF REQUIRED 7ft.
FOR A SUNROOM (1951 REGS.)

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

Legal Owner(s):

MARK BUCKHEIT

Name - Type or Print

Signature

Name - Type or Print

Signature

2015 ROCKWELL AVE

410-719-8614

Address

Telephone No.

BALTIMORE MD 21228

City

State

Zip Code

Representative to be Contacted:

GREGORY A. FALTER (AGENT FOR PATIO ENC.)

Name

224 8TH AVE NW

410-760-9322 X25

Address

Telephone No.

GLEN BURNIE MD 21061

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, 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

Reviewed By Jm

Date

9-6-01

Estimated Posting Date

9-16-01

CASE NO. 02-095A

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 2015 ROCKWELL AVE

Address

BALTIMORE, MD 21228

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):

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce road noise.
4. A place to sit out and not be concerned with the weather, bugs: mosquitos, flies etc...
5. Improve the apperance of the house
6. The restrictive area of the lot does not lend itself to any addition of pratical size without requiring a variance.

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 Mark Buckheit

Signature

MARK BUCKHEIT

Name Type or Print

Signature

Name Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17TH day of JULY, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK BUCKHEIT

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

July 17, 2001

Date

[Signature]

Notary Public

My Commission Expires

11/1/01

ZONING DESCRIPTION FOR 2015 ROCKWELL AVE.

***BEGINNING AT A POINT ON THE SOUTH SIDE OF ROCKWELL AVE
WHICH IS 30' WIDE AT THE DISTANCE OF 262' EAST OF THE
NEAREST IMPROVED INTERSECTING STREET
OLD FREDERICK RD. WHICH IS 30' WIDE. BEING
LOT # 40 BLOCK _____, SECTION _____ IN THE SUBDIVISION OF
COLONIAL GARDENS AS RECORDED IN COUNTY PLAT
BOOK # 17, FOLIO # 79, CONTAINING 13,200 SQ'. ALSO KNOWN AS
2015 ROCKWELL AVE LOCATED IN THE 1ST ELECTION DISTRICT,
1ST COUNCILMANIC DISTRICT.***

095

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5726

DATE 9.5.01 ACCOUNT C1-26-6.5

AMOUNT \$

50.12

RECEIVED
FROM:

M. Buckheit

FOR:

(on) Ad. Vm.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Jcun

PAID RECEIPT

PAYMENT ACTUAL TIME
9/06/2001 9/06/2001 10:24:27

WS03 CASHIER R003 LRB DRAWER 3
RECEIPT # 206602 DEPT

5 528 ZONING VERIFICATION
CR NO. 005726

Recpt Tol. 50.00

50.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 02-095-A

AVARIANCE TO PERMIT A SIDE YARD
SETBACK OF 4 FEET IN LIEU OF THE
REQUIRED 7 FEET FOR A SUNROOM

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON OCTOBER 1, 2001

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

100 W. CROFTLAND AVE.
BALTIMORE, MD 21201

TEL. 847-1381



CERTIFICATE OF POSTING

RE: Case No.: 02-095-A

Petitioner/Developer: _____

MARK BULKHEIT

Date of Hearing/Closing: OCT. 1, 2001

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 _____

2015 ROCKWELL AVE.

The sign(s) were posted on SEPT. 14, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(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/neighbor 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: - 095
Petitioner: - ~~MARK~~ MARK Buckheit
Address or Location: 2015 ROCKWELL AVE. BALTIMORE MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: PATIO ENCLOSURES INC.
Address: 224 8TH AVE NW
GLEN BURNIE MD 21061
Telephone Number: 410-760-9322 X25

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 02- 095 -AAddress 2015 Rockwell Ave.Contact Person: J. Mewer
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 9-5-01Posting Date: 9-16-01Closing Date: 10-1-01

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- 095 -AAddress 2015 Rockwell Ave.Petitioner's Name MARIL B. KHEITTelephone 410-719-8614Posting Date: 9-16-01Closing Date: 10-1-01Wording for Sign: A VARIANCE
To PermitA SIDEYARD SETBACK of 4ft. in
LIEU of The Required 7ft. For A SunRoom.



Baltimore County
Department of Permits and
Development Management

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

October 1, 2001

Mark Buckheit
2015 Rockwell Avenue
Baltimore MD 21228

Dear Mr. Buckheit:

RE: Case Number: 02-095-A, 2015 Rockwell Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 6, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

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

WCR: gdz

Enclosures

C: Gregory A Falter, 224 8th Avenue NW, Glen Burnie 21061
People's Counsel



Census 2000



For You, For Baltimore County



Census 2000



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 25, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 1, 2001
Item Nos. 086, 087, 088, 089, 090, 092,
093, 094, 095, 096, 098, and 099

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 27, 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 24, 2001

Item No.: See Below

Dear Ms. Stephens:

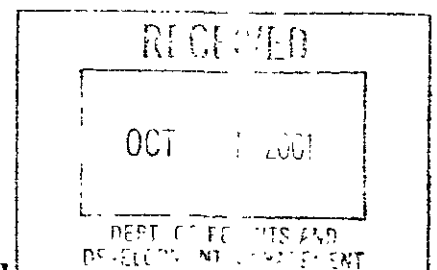
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

086, 087, 088, 089, 090, 091, 092, 093, 094, 095⁺, 096, 097,
098, 099, AND 100

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
10/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 2, 2001

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

OCT - 3

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-095

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.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Gens

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.1.01

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

RE: Baltimore County
Item No. 795 JCM

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

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

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

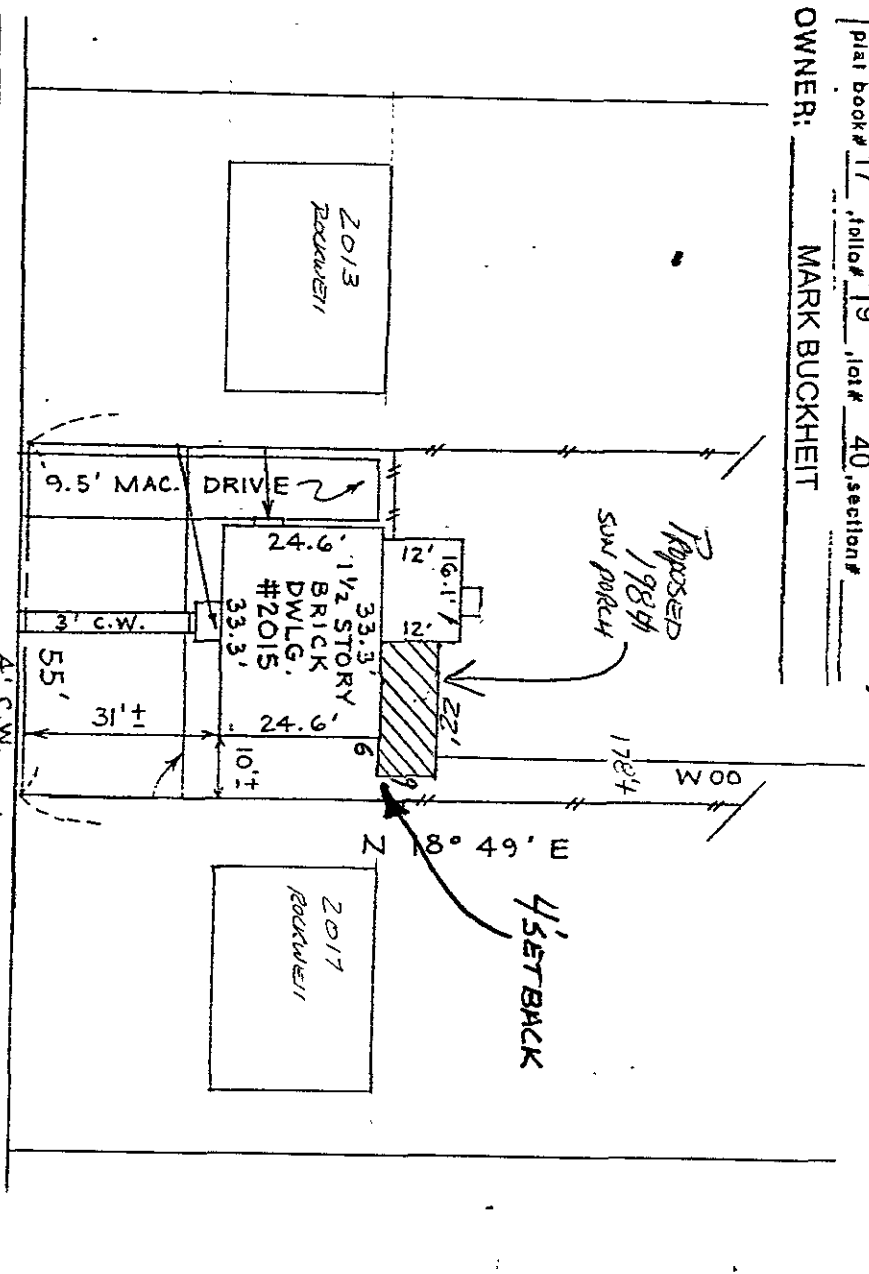
PROPERTY ADDRESS: 2015 ROCKWELL AVE. BALTIMORE MD 21228

see Pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: COLONIAL GARDENS

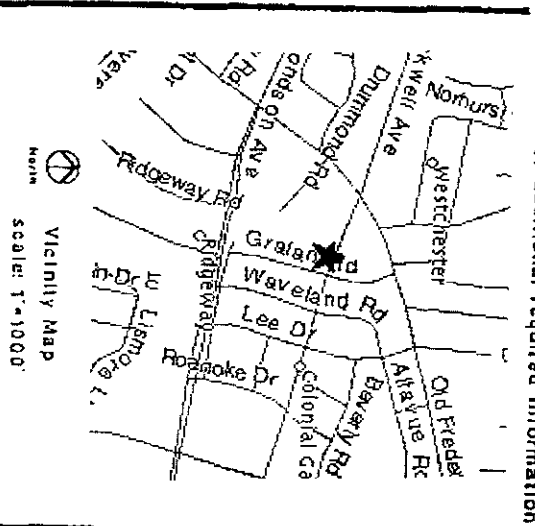
plat book # 17, folio # 19, lot # 40, section #

OWNER: MARK BUCKHEIT



North
 ROCKWELL AVENUE (50' R/W)
 30' PAVING
 571° 11'E
 262' TO E
 OF OLD FREDERICK

date: _____
 prepared by: G.A. FALTER
 Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Election District: 01
 Councilmanic District: 01

1"=200' scale map #: SW G-2

Zoning: DR 5.5
 Lot size: .30 acreage
 square feet 13,200

SEWER: ☒ YES ☐ NO
 WATER: ☒ YES ☐ NO
 Chesapeake Bay Critical Area: ☐ YES ☒ NO
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

GAF 095

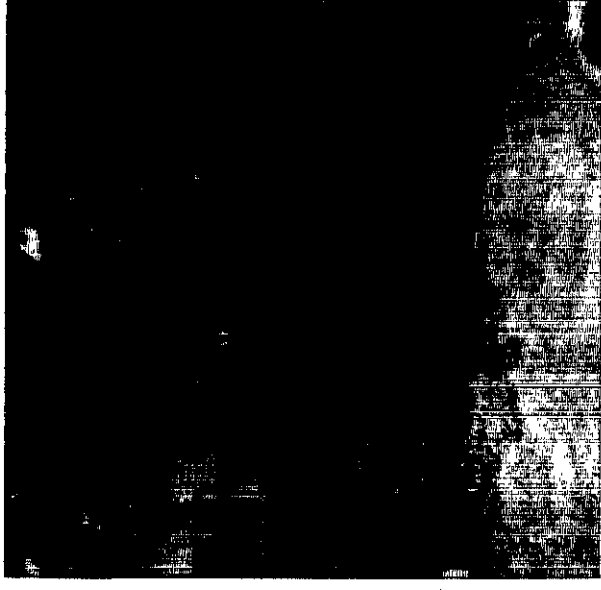
Rel. Ex. #1

2015 ROCKWELL AVE.
 VARIANCE FOR
 MARK BUCKHEIT.

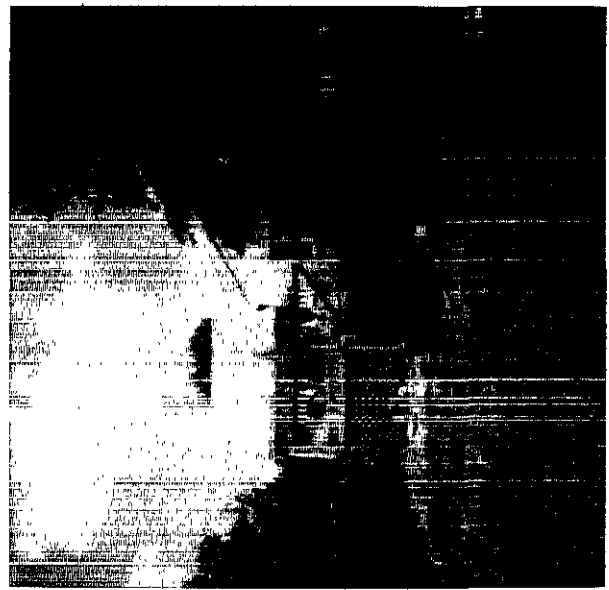
2015. 2017



RIGHT SIDE OF HOME
 AS SEEN FROM FRONT.



RIGHT SIDE OF HOUSE
 AS SEEN FROM REAR YARD



BACK OF HOUSE
 AS SEEN FROM REAR YARD

045



20137

LEFT SIDE OF HOUSE AS
 SEEN FROM FRONT.



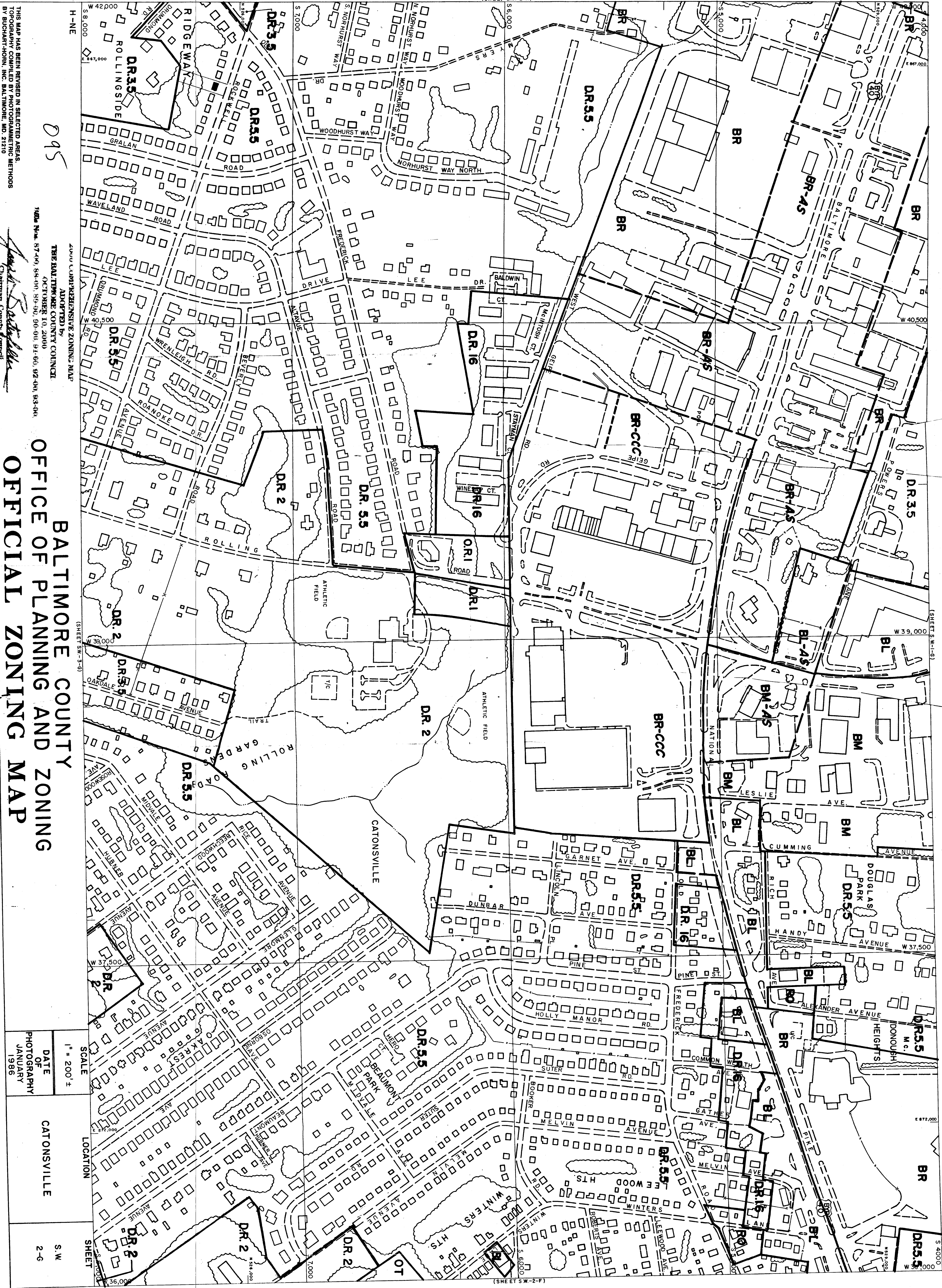
LEFT SIDE OF HOUSE
 AS SEEN FROM REAR.



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CATONSVILLE	S.W. 2-6
DATE OF PHOTOGRAPHY JANUARY 1986		



THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

ADOPTED BY
BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
FILE NO. 87-00, 88-01, 89-02, 90-03, 91-04, 92-05, 93-06

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

DATE OF PHOTOGRAPHY	LOCATION	SHEET
JANUARY 1986	CATONSVILLE	2-6

SW 2 G