

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S Sunnybrook Road, 500' S		
Merrymans Mill Road	*	DEPUTY ZONING COMMISSIONER
10th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(13913 Sunnybrook Road)		
	*	CASE NO. 02-096-A
Mary & Kye Jenkins		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Mary and Kye Jenkins. The variance request is for property located at 13913 Sunnybrook Road, in the Phoenix area of Baltimore County. The variance request is from Sections 103.1 and 1A01.3.B.3 of the 1975 Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a lot line setback of 38 ft. in lieu of the required 50 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING

Date

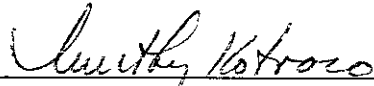
By

10/19/01
[Signature]

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 Sections 103.1 and 1A01.3.B.3 of the 1975 Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a lot line setback of 38 ft. in lieu of the required 50 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, Petitioner are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER REC'D FOR FILING

Date

10/9/01

By

R. J. Janssen



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. & Mrs. Kye Jenkins
13913 Sunnybrook Road
Phoenix, Maryland 21131

Re: Petition for Administrative Variance
Case No. 02-096-A
Property: 13913 Sunnybrook Road

Dear Mr. & Mrs. Jenkins:

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: Welsh Construction Remodeling Co.
3901 E. Monument Street
Baltimore, MD 21205

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

Phoenix, Maryland 21131
for the property located at 13913 Sunnybrook Road
which is presently zoned RSC

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) 103 (BCZR) 1A01.3.B.3 (75" BCZR)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A LOT LINE SETBACK OF
38' IN LIEU OF THE REQUIRED 50'.

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):

Kye Jenkins
Name - Type or Print _____
Signature _____
Mary Jenkins
Name - Type or Print _____
Signature _____
13913 Sunnybrook Road
Address _____ Telephone No. _____
Phoenix, Maryland 21131
City _____ State _____ Zip Code _____

Representative to be Contacted:

Welsh Construction Remod. Co.
Name _____
3901 E. Monument St. 410-732-2722
Address _____ Telephone No. _____
Baltimore, Maryland 21205
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 _____ day of _____ 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

CASE NO. 02-096-A

Reviewed By LTM Date 9/6/01

Estimated Posting Date 9/16/01

R20 9/15/98

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.

That the Affiant(s) does/do presently reside at 13913 Sunnybrook Road
Address
Phoenix, Maryland 21131
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):

The purpose for this request is to add a bedroom addition with a 2nd bath to my house. We are extremely limited on where the addition could be built because of the existing septic area and the front entrance of the house. We also feel the prepared location of the addition would create the best appearance viewing it from the outside bringing our property value closer to our adjoining neighbors. We can no longer live in this house with only one bath and two bedrooms with having two growing children.

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.

[Signature]
Signature
Kye Jenkins
Name - Type or Print

Mary Jenkins
Signature
Mary Jenkins
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6 day of September, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Kye Jenkins + Mary Jenkins
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

9/6/01
Date

[Signature]
Notary Public

My Commission Expires March 22, 2005

220 09/15/98

CHRIS TRAPANI
NOTARY PUBLIC
BALTIMORE COUNTY, MD.
My Commission Expires March 22, 2005

Zoning Description

Zoning Description for 13913 Sunnybrook Road

Beginning at a point on the north side of Sunnybrook Road which is 60 feet wide at the distance of 500 feet south of the centerline of the nearest improved intersecting street Merrymans Mill Road which is 60 feet wide. Being Lot # 1, Block N/A, Section #D, in the subdivision of Section one Merryman's Mill as recorded in Baltimore County Plat Book # 38, Folio # 136 containing 1-394 AC. Also known as 13913 Sunnybrook Road and located in the 10 Election District, 6 Councilmanic District.

#96

5727

PAID RECEIPT

PAID TO: *W. J. ...*
DATE: *9/6/50*
AMOUNT: *50.00*
RECEIVED BY: *...*
SIGNATURE: *...*

FOR DEPOSIT ONLY

WALSH & SONS

Bank of
Chicago

096-A

CERTIFICATE OF POSTING

RE: Case No.: 02-096-A

Petitioner/Developer: KYE AND

MARY JENKINS

Date of Hearing/Closing: 10/1/01

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 13913 Sunnybrook Rd

The sign(s) were posted on 9/16/01
(Month, Day, Year)

Sincerely,

[Signature] 9/16/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

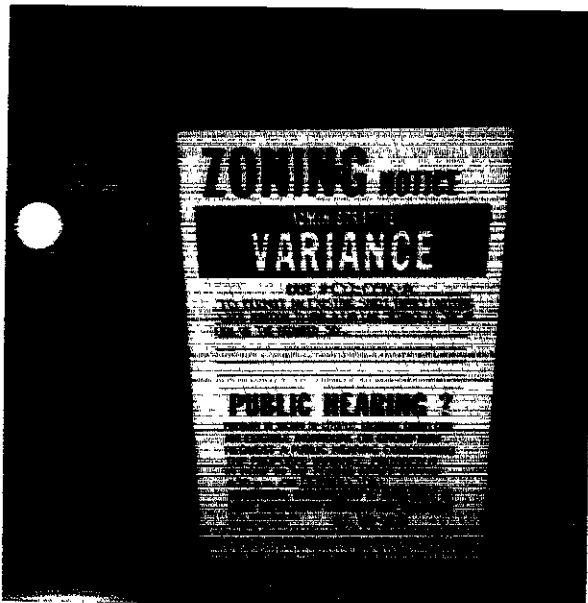
(Address)

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: 02-096-A
Petitioner: KYE AND MARY JENKINS
Address or Location: 13913 SUNNYBROOK ROAD
21131

PLEASE FORWARD ADVERTISING BILL TO:

Name: Welsh Construction + Remodeling Co.
Address: 3901 E. Monument St
Balto, Md 21205
Telephone Number: 410732-1360

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 096 -A Address 13913 SUNNYBROOK RD.
 Contact Person: LLOYD T. MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name * 9/16/01 10/11/01
 Filing Date: 9/6/01 Posting Date: 9/29/01 Closing Date: 9/24/01

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- 096 -A Address 13913 SUNNYBROOK RD.
 Petitioner's Name KYE & MARY JEWINS Telephone 410 732 2722
 Posting Date: 9/29/01 Closing Date: 9/24/01
 Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A LOT LINE SETBACK OF 38'
IN LIEU OF THE REQUIRED 50'.

WCR - Revised 6/28/00

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

* I MESSED UP DATES - ON 9/7 I CONTACTED REP AND GAVE CORRECT DATES WITH FOLLOWUP FAX OF THIS SHEET

I HAVE RECEIVED POSTING 17110 Mary Jewins 6/28/01



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

Mary & Kye Jenkins
13913 Sunnybrook Road
Phoenix MD 21131

Dear Mr. & Mrs. Jenkins:

RE: Case Number: 02-096-A, 13913 Sunnybrook Road

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

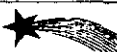
C: Welsh Construction Remod Co, 3901 E Monument St, Baltimore 21205
People's Counsel



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:

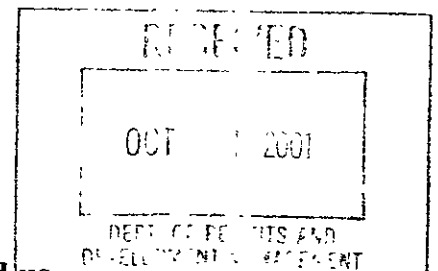
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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 3, 2001

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

OCT - 3

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-094 & 02-096

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. Ly

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. 096 LTM

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

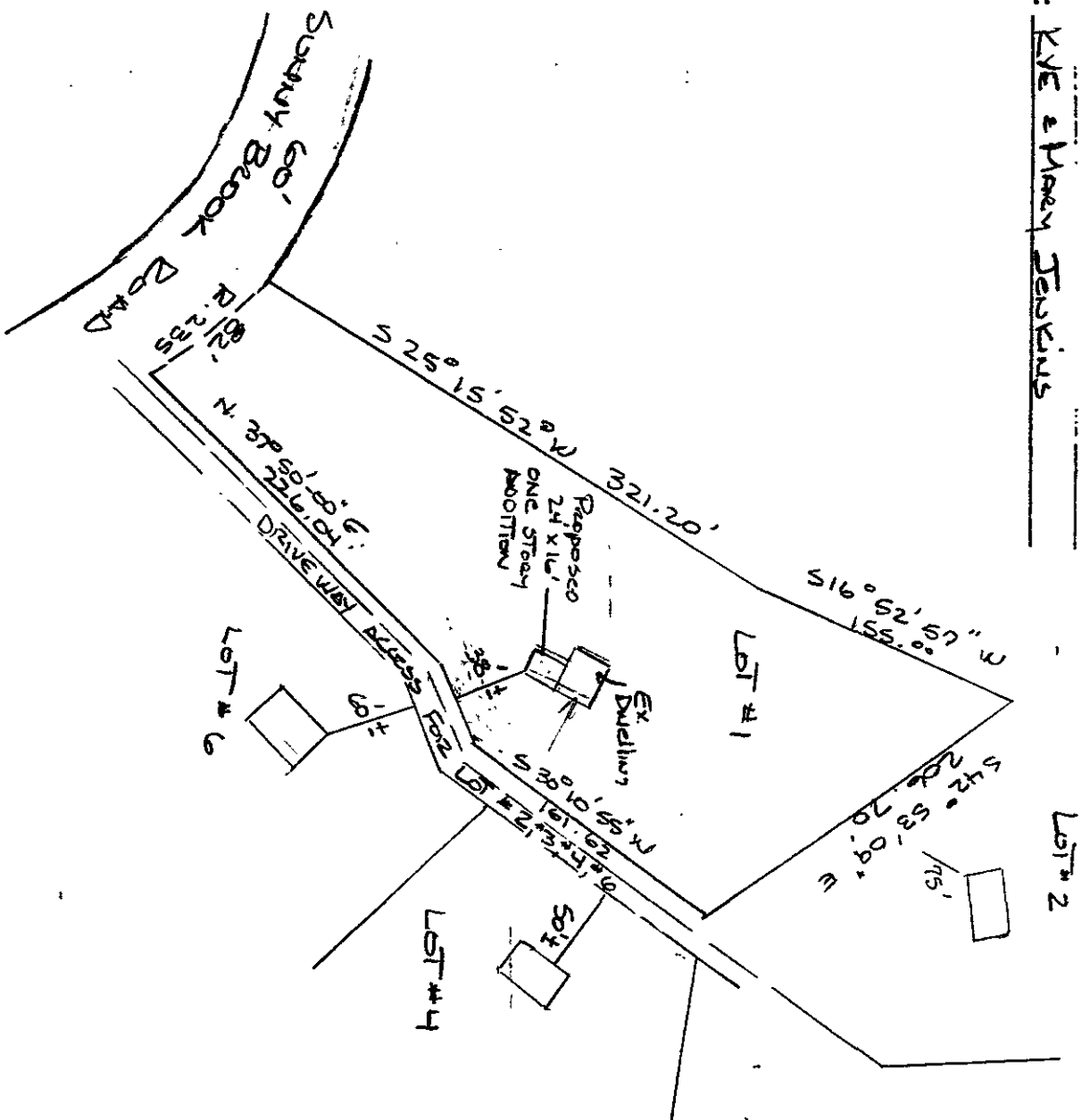
PROPERTY ADDRESS: 13913 Sunnybrook Road

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

Subdivision name: SECTION ONE MEADOWS MILL

plat book # 38, folio # 136, lot # 1, section # 1

OWNER: KYE & Mary Jenkins

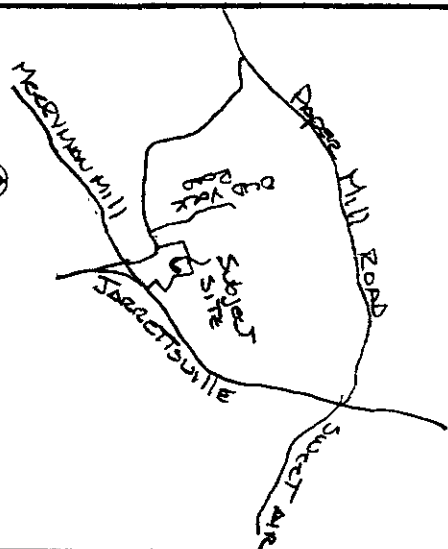


North

date: 8/30/2001

prepared by: JOHN DEGRAND

Scale of Drawing: 1" = 100'



Vicinity Map
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: 1D

Councilmanic District: 6

1" = 200' scale map: NE20C

Zoning: RC4

Lot size: 1.394 acreage 60,984 square feet

SEWER: ☐ PUBLIC ☒ PRIVATE
WATER: ☐ ☒

Chesapeake Bay Critical Area: ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

CTM

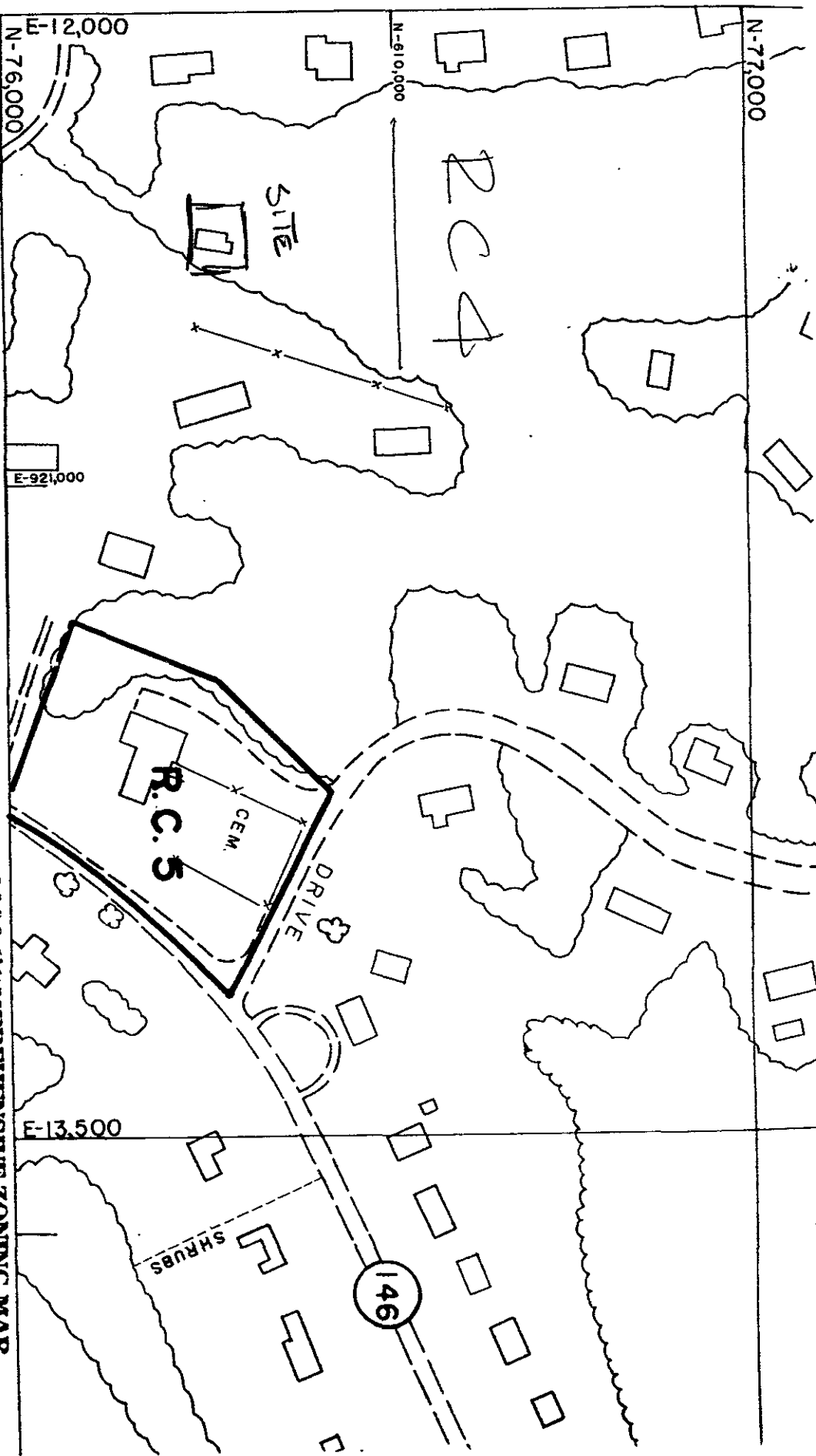
96

02

96

A

Rel. Ek. #1



U-NW U-NE
EE-SW EE-NW

Summary Draft

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

2000 COMPREHENSIVE ZONING MAP

ADOPTED by

THE BALTIMORE COUNTY COUNCIL

OCTOBER 10, 2000

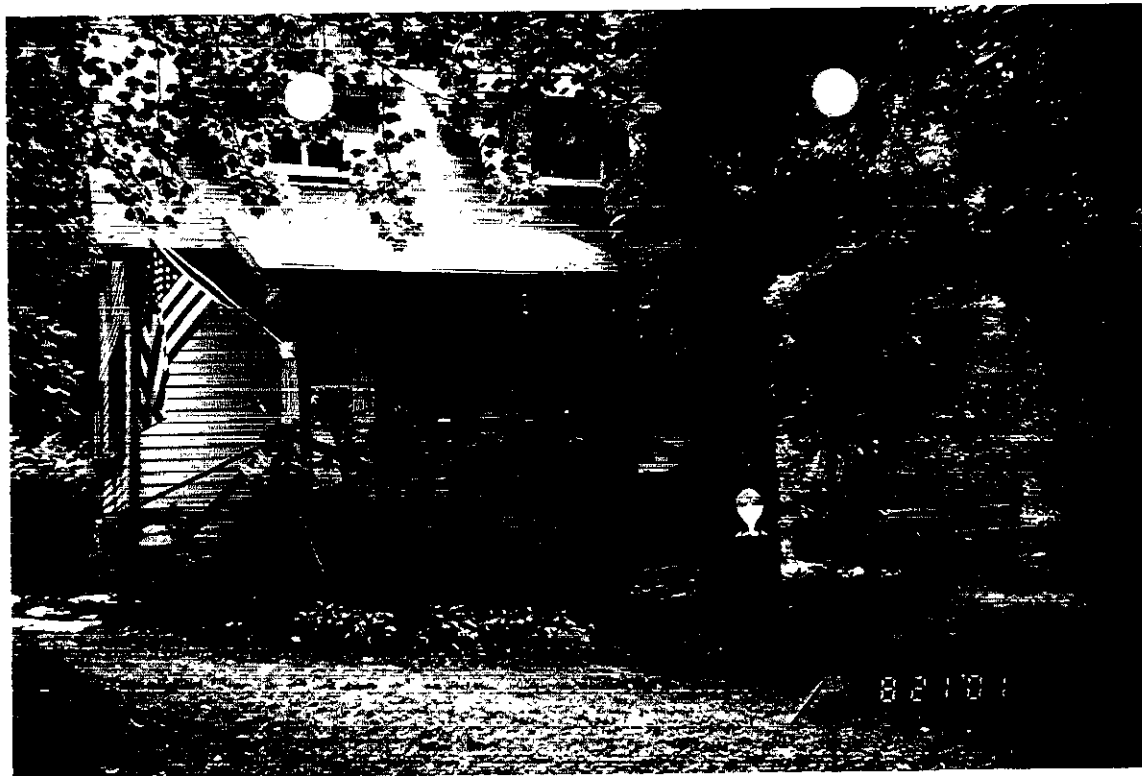
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-0

David J. B. [Signature]
Chairman, County Council

NE 200

#96

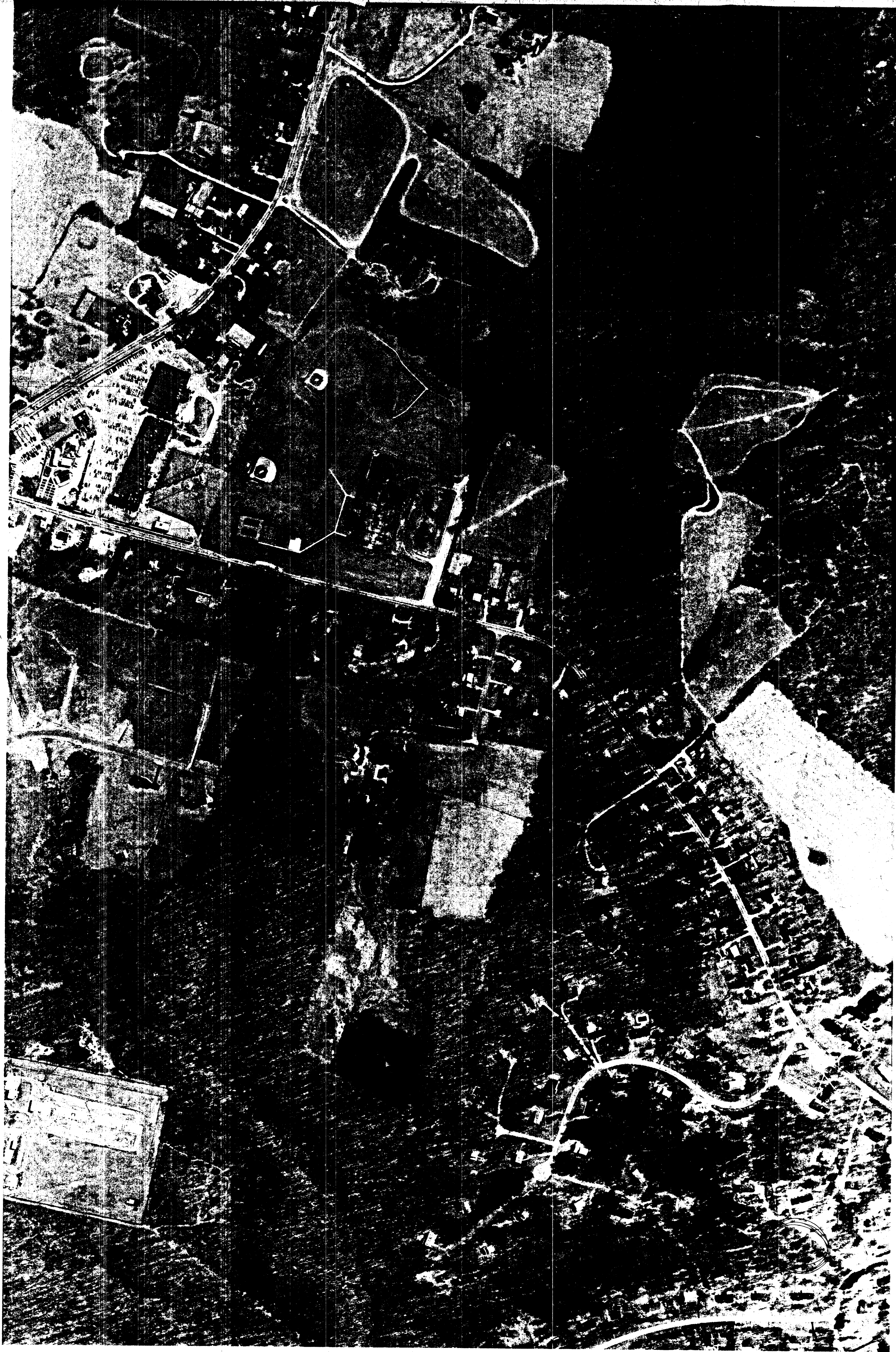












BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±		LOCATION SOUTH OF JACKSONVILLE	SHEET N. E. 20-C
DATE OF PHOTOGRAPHY JANUARY 1986			