

IN RE: PETITION FOR ADMIN. VARIANCE
NW/S Glenberry Court, 1500' W of
Old York Road
(4 Glenberry Court)
10th Election District
3rd Council District

Roger S. Ralph, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-127-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Roger S. and Elaine S. Ralph. The Petitioners seek relief from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (old, Bill Nos. 98-75; 178-79) to permit a building setback from the lot line of 42 feet in lieu of the required 50 feet for a proposed addition, and to amend the latest Final Development Plan for Brookfield, Plat 3, Section 1 thereof, to permit the projection of a proposed addition outside the existing building envelope. The subject property and requested relief are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, 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

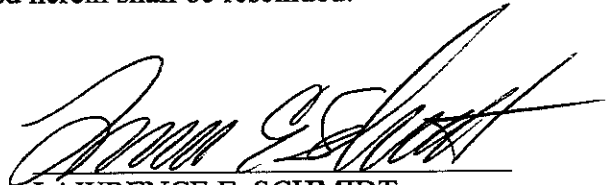
ORDER RECEIVED FOR FILING
Date 11/1/01
By [Signature]

Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of November, 2001, that the Petition for Administrative Variance seeking relief from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (old, Bill Nos. 98-75; 178-79) to permit a building setback from the lot line of 42 feet in lieu of the required 50 feet for a proposed addition, and to amend the latest Final Development Plan for Brookfield, Plat 3, Section 1 thereof, to permit the projection of a proposed addition outside the existing building envelope, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/1/01
BY [Signature]



Baltimore County
Zoning Commissioner

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

November 2, 2001

Mr. & Mrs. Roger S. Ralph
4 Glenberry Court
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/S Glenberry Court, 1500' W of Old York Road
(4 Glenberry Court)
10th Election District – 3rd Council District
Roger S. Ralph, et ux - Petitioners
Case No. 02-127-A

Dear Mr. & Mrs. Ralph:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File

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 4 Glenberry Court

which is presently zoned Ph Md 21131 RC 4/RC 2

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) 1A03.4.B.4 (Old Zoning Regulations, Bill Nos. 98-75; 178-79) to permit a proposed addition with a building setback of 42 feet from the lot line in lieu of the required 50 feet, and to amend the latest Final Development Plan for Brookfield (Plat 3, Section 1) to permit projection of proposed addition outside of the existing building envelope.

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):

Name - Type or Print Roger S. Ralph
Signature _____
Name - Type or Print Elaine S. Ralph
Signature _____
Address 4 Glenberry Court Telephone No. 410-561-6057
City Phoenix, Md. State 21131 Zip Code _____

Representative to be Contacted:

Name Roger S. Ralph
Address 4 Glenberry Court Telephone No. 410 561 6057
Phoenix, MD 21131
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

Reviewed By JNP Date 9/25/01
Estimated Posting Date 10/7/01

CASE NO. 02-127-A

ORDER RECEIVED FOR FILING

REC 9/25/01

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

4 Glenberry Court

Address

Phoenix, Md 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):

We are seeking this variance because without we are not able to appropriately add on to our existing home in order to create an additional bedroom on the lower level of our home. This is necessary so that our parents when they stay with us do not have to climb stairs.

Because of the present location of our residence which we constructed in 1991 the renovation and small addition we would like to accomplish requires approval of administrative variance because an area @7'.5" x 15' (@112 sq. ft total) will be within the 50' setback area at the NW corner of the planned house addition. This is shown on the Plat accompanying this application.

4 Glenberry Court is in a semi-rural location in Baltimore County and our nearest neighbors are at least 600' away and we are not visible from their residence and visa-versa.

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 [Handwritten Signature]
Name - Type or Print Roger Ralph

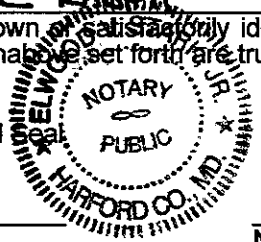
Signature [Handwritten Signature]
Name - Type or Print Elaine Ralph

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

ROGER RALPH
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



Date SEPTEMBER 6, 2001

[Handwritten Signature]
Notary Public

My Commission Expires 4/11/2005

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 4 Glenberry Court
Address
Phoenix, Md. 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):

We are seeking this variance because without we are not able to appropriately add on to our existing home in order to create an additional bedroom on the lower level of our home. This is necessary so that our parents when they stay with us do not have to climb stairs.

Because of the present location of our residence which we constructed in 1991 the renovation and small addition we would like to accomplish requires approval of administrative variance because an area @7'.5" x 15' (@112 sq. ft total) will be within the 50' setback area at the NW corner of the planned house addition. This is shown on the Plat accompanying this application.

4 Glenberry Court is in a semi-rural location in Baltimore County and our nearest neighbors are at least 600' away and we are not visible from their residence and visa-versa.

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 [Handwritten Signature]
Name - Type or Print Roger Ralph

Signature [Handwritten Signature]
Name - Type or Print Elaine Ralph

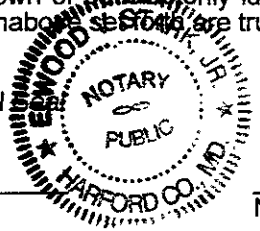
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

ROGER RALPH

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 stated are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial



SEPTEMBER 6, 2001
Date

[Handwritten Signature]
Notary Public

My Commission Expires 4/11/2005



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4 Glenberry Court

which is presently zoned Phoenix, Md. 21131 RC 4/RC 2

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)

1A03.4.B.4 (Old Zoning Regulations, Bill No. 98-75; 178-79) to permit a proposed addition with a building setback of 42 feet from the lot line in lieu of the required 50 feet, and to amend the latest Final Development Plan for Brookfield (Plat 3, Section 1) to permit projection of proposed addition outside of the existing building envelope.

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:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address Telephone No.

Name - Type or Print Roger S. Ralph

City State Zip Code

Signature 410-561-6057

Attorney For Petitioner:

Address 4 Glenberry Court Telephone No. 410-561-

Name - Type or Print

Address Phoenix, Md. 21131 Telephone No.

Signature

City State Zip Code

Company

Representative to be Contacted:

Address Telephone No.

Name Roger S. Ralph 410 561 6057

City State Zip Code

Address 4 Glenberry Court Telephone No.

City State Zip Code Phoenix, MD 21131

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. 02-127-A

Reviewed By JNP Date 9/25/01

REV 9/15/98

Estimated Posting Date 10/7/01

ZONING DESCRIPTION FOR:

ROGER & ELAINE RALPH RESIDENCE
4 GLENBERRY COURT
PHOENIX, MD. 21131

Beginning at the point on the north west side of Glenberry Court which is 50' wide at the distance of @1500' of the centerline of the nearest improved intersecting street, Old York Road, which is 40' wide. Being Lot #28 in the subdivision of Brookfield as recorded in Baltimore County Plat Book # 56, Folio 59 containing 8.393 acres. Also known as 4 Glenberry Court and located in the 10th Election District, 3rd Councilmanic District.

02-127-A

BALTIMORE COUNTY, MARYLAND
 OFFICE OF BUDGET & FINANCE
 MISCELLANEOUS RECEIPT

No. 5681

DATE 1/24/01 ACCOUNT A-001-006-6150

AMOUNT \$ 100.00

RECEIVED FROM: Super S. Ralph

FOR: 60-127-A W. Vance
1 Glenbury Court

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

DATE 1/24/01 TIME 1:16
 BY WASHLEIGH DOOR SHOP ORDER NO. 2
 RECEIPT # 157461 ORDER # 157461
 ORDER # 157461 ORDER # 157461

Record Fee 100.00
 50.00 CA 40.00 CA
 30.00-03

BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

RECEIVED BY: _____ RECEIVED BY: _____ RECEIVED BY: _____

CERTIFICATE OF POSTING

RE: Case No.: 02-127-A

Petitioner/Developer: _____

ELAINE & ROGER RALPH

Date of Hearing/Closing: 10/22/01

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:

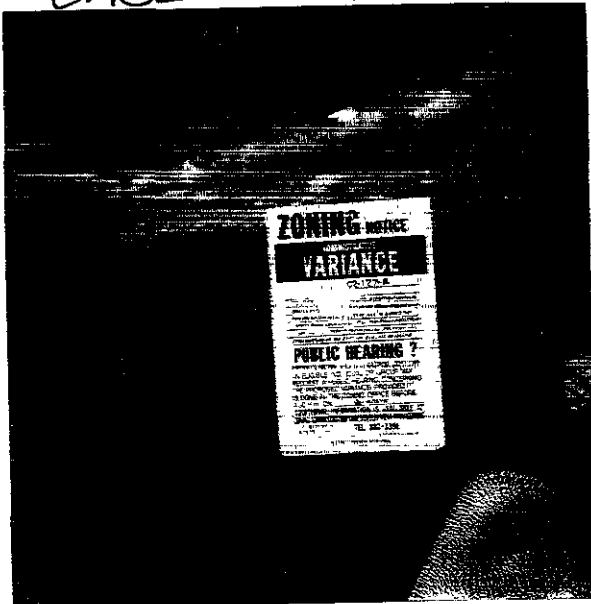
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

4 GLENBERRY CT.

The sign(s) were posted on 10/7/01

(Month, Day, Year)

CASE # 02-127-A



Sincerely,

Richard E. Hoffman 10/7/01
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

4 GLENBERRY COURT

POSTED 10/7/01

Richard E. Hoffman 10/7/01

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/neighborhood 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: 02-127-A

Petitioner: ELAINE & ROGER RALPH

Address or Location: 4 GLENBERRY COURT - PHOENIX, MD. 21131

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROGER RALPH

Address: 4 GLENBERRY COURT - PHOENIX, MD. 21131

Telephone Number: (410) 561-6057

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 127 -A

Address 4 Glenberry Court

Contact Person: Jeffrey Perlow

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 9/24/01

Posting Date: 10/7/01

Closing Date: 10/22/01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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- 127 -A

Address 4 Glenberry Court

Petitioner's Name Elaine & Roger Ralph

Telephone _____

Posting Date: 10/7/01

Closing Date: 10/22/01


Ordering for Sign: To Permit a proposed addition with a building setback of 42 feet from the lot line in lieu of the required 50 feet, and to amend the latest Final Development Plan for Brookfield (Plat 3, Section 1) to permit projection of proposed addition outside of the existing building envelope.

WCR - Revised 6/28/00

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 26, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For November 5, 2001
Item Nos. 121, 123, 124, 125, 126, ~~127~~
128, 129, 130, 131, 133, 134, 135, 162,
and 163

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

October 30, 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 October 29, 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:

121, 122, 123, 124, 125, 126, 127, 128, 130,
133, 134, 135, and 163

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 31, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-127

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. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: *10.29.01*

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. *127* *JNT*

Dear Mr. Zahner:

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.

A handwritten signature in black ink, appearing to read 'K. A. McDonald Jr.', written over a horizontal line.

K 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

H-127-0

LOT 2

LOT 1

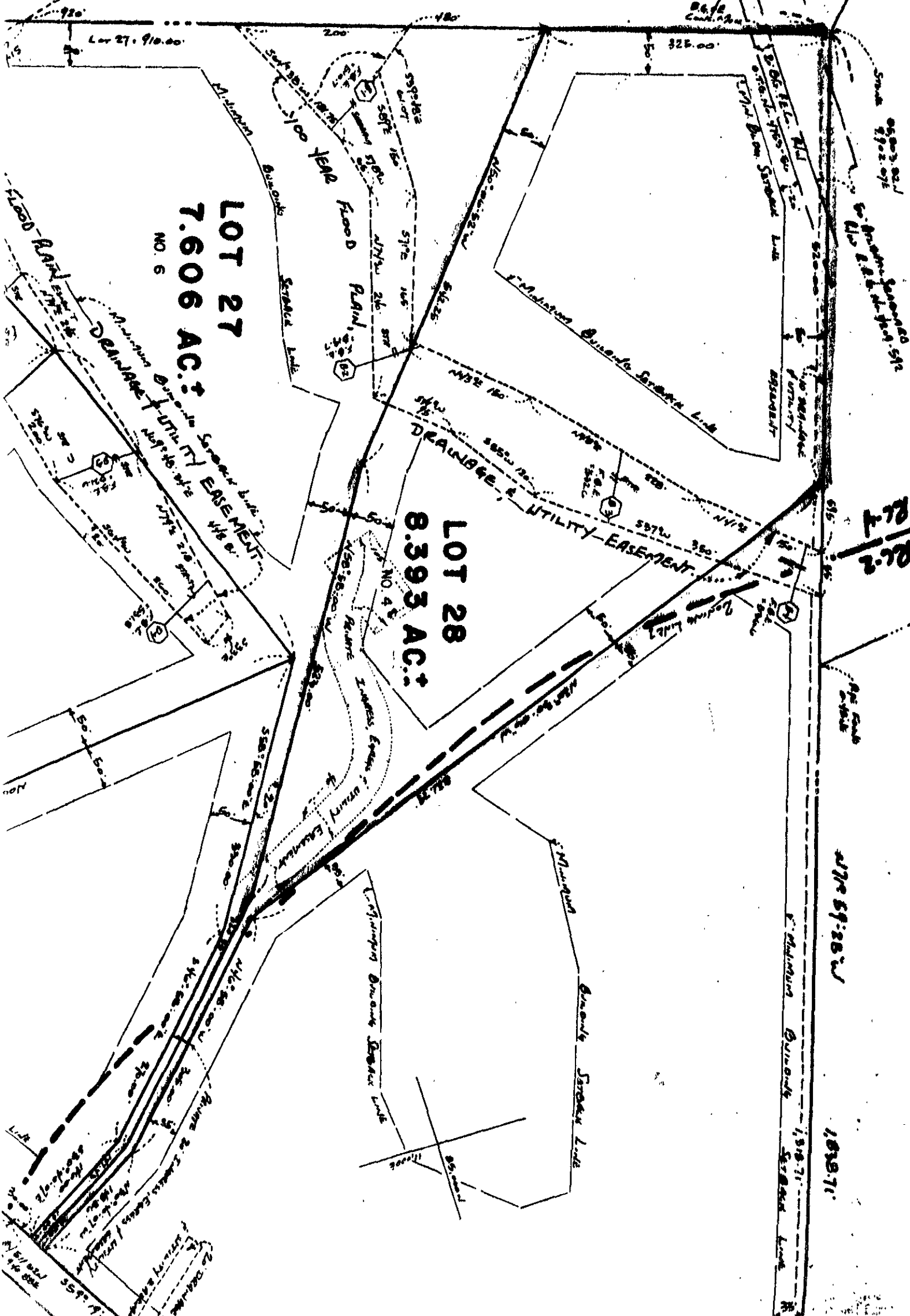
SECTION THREE

BROOKFIELD

Plot Book S.M. No. 56/59

518°07:52'W

1,485.00'



LOT 27
7.606 AC.
NO. 6

LOT 28
8.393 AC.
NO. 4

27-1
27-2

277°59:28'W

1,918:71'

NE-22-B

R.C. 2

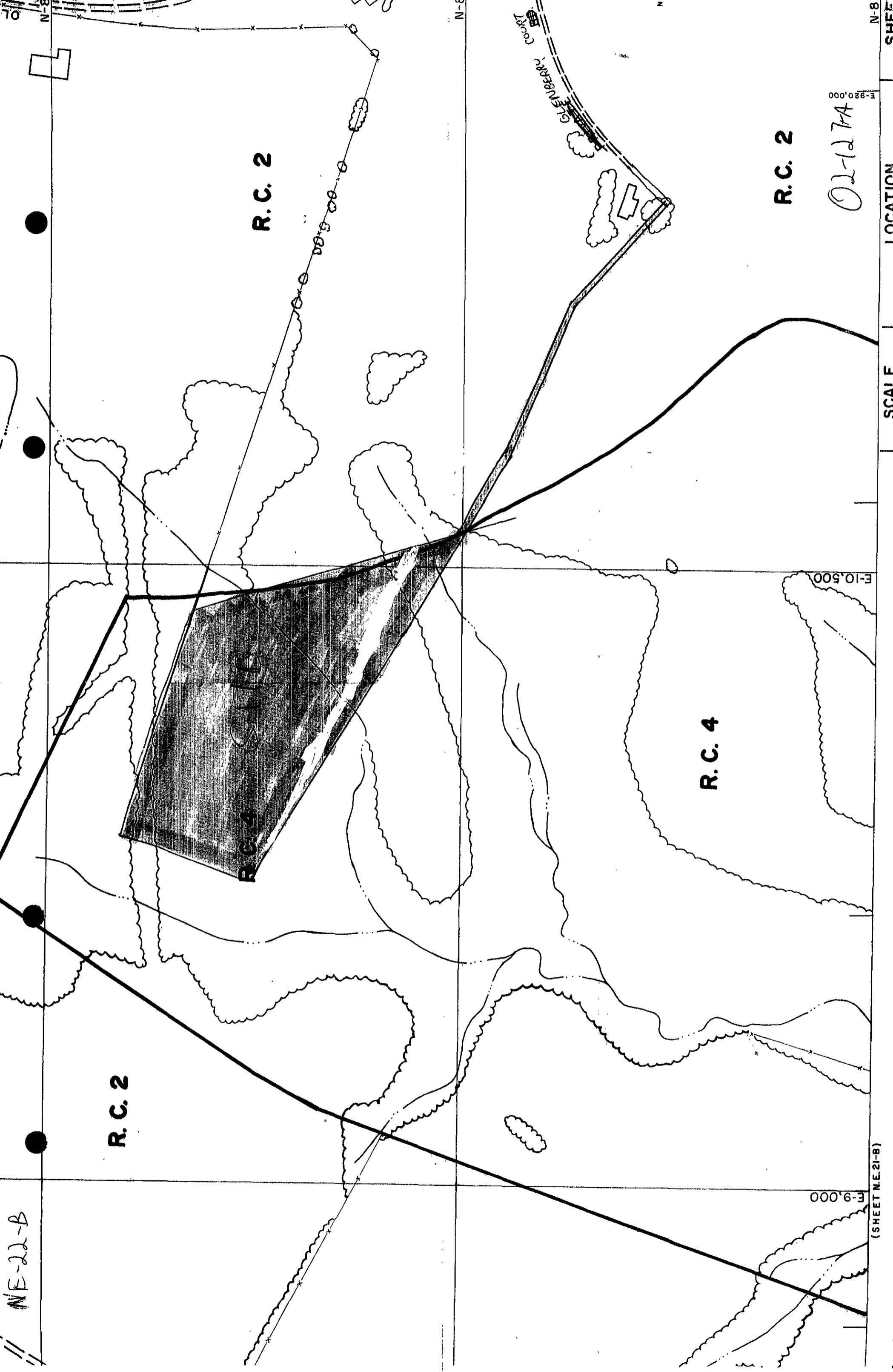
R.C. 2

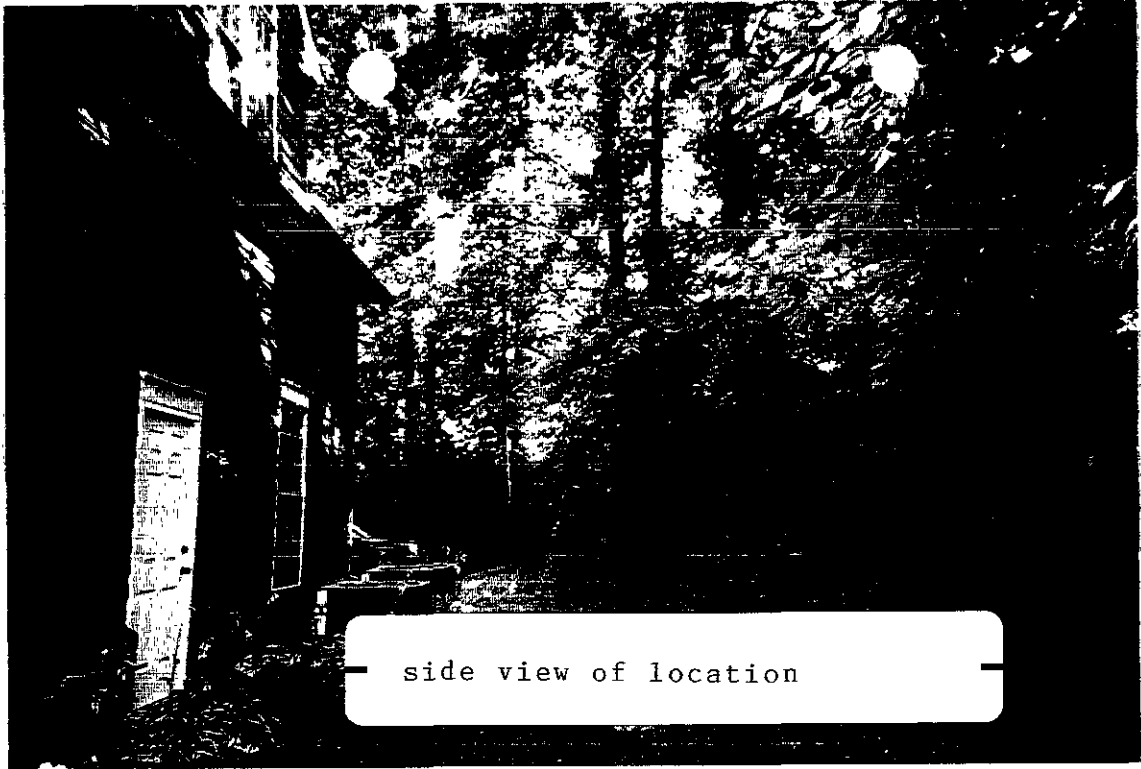
R.C. 4

R.C. 2

02-127A

GLENBERG CO. ILL.







181-CD

SHEET

N. E.

22-B

LOCATION

SOUTHWEST
CLYNMALIRA
CHURCH

SCALE

1" = 200' ±

DATE

PHOTOGRAPHY
JANUARY
1986

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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

