

IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Upman Court, 500' N
Of Old Frederick Road
1st Election District
1st Councilmanic District
(19 Upman Court)

Joyce E. Hinkelman
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-295-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, Joyce E. Hinkelman. The variance request is for property located at 19 Upman Court in the Catonsville area of Baltimore County. The variance request is from Sections 1B02.3.B and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.5.A of the Comprehensive Manual of Development Policies (C.M.D.P.), to permit a rear yard setback of 16 ft. in lieu of the required 35 ft. for an addition (sunroom). The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

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

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

ORDER RECEIVED FOR FILING

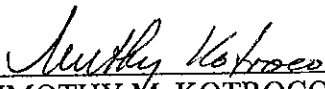
Date 2/25/02

By J.P. Joneson

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 28th day of February, 2002, that a variance from Sections 1B02.3.B and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.5.A of the Comprehensive Manual of Development Policies (C.M.D.P.), to permit a rear yard setback of 16 ft. in lieu of the required 35 ft. for an addition (sunroom), 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 her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 PREPARED FOR FILING
DATE 2/25/02
BY J.P. Gannon



Baltimore County
Zoning Commissioner

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

February 25, 2002

Ms. Joyce E. Hinkelman
19 Upman Court
Baltimore, Maryland 21228

Re: Petition for Administrative Variance
Case No. 02-295-A
Property: 19 Upman Court

Dear Ms. Hinkelman:

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: Patio Enclosures, Inc.
224 8th Avenue, N.W.
Glen Burnie, MD 21061

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



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on Recycled Paper

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 19 UPMAN CT.
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.

Joyce E. Hinkelman Signature
JOYCE E. HINKELMAN Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3RD day of JANUARY, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

1/3/02
Date

[Signature]
Notary Public
My Commission Expires 11/1/05



TO AMEND THE FDP OF "UPMAN PROPERTY" 5

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 19 UPMAN CT. BALTIMOR MD
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) 1B02.3.B, ~~504.2~~ 504.2 (BCZR)

V.B.5.a (CMOP), TO PERMIT A REAR YARD SETBACK OF 16ft.
FOR A SUNROOM IN LIEU OF THE REQUIRED 35 ft.

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

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

JOYCE E. HINKELMAN

Name - Type or Print

Signature

Name - Type or Print

Signature

19 UPMAN CT.

410-747-4407

Address

Telephone No.

BALTIMORE MD 21228

State

Zip Code

Representative to be Contacted:

PATIO ENCLOSURES INC.

Name

224 8TH AVE NW

410-760-1919

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, 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. 02-295A

Reviewed By JCM

Date 1.11.02

REV 9/15/98

Estimated Posting Date 1.20.02

ZONING DESCRIPTION FOR 19 Upman Ct.

***BEGINNING AT A POINT ON THE EAST SIDE OF UPMAN CT.
WHICH IS 30' WIDE AT THE DISTANCE OF 500' NORTH OF THE
NEAREST IMPROVED INTERSECTING STREET OLD FREDERICK
RD. WHICH IS 30' WIDE. BEING LOT # 20 BLOCK ____, SECTION ____
IN THE SUBDIVISION OF UPMAN PROPERTY AS RECORDED N
COUNTY PLAT BOOK # 63, FOLIO # 103, CONTAINING 4,957 SQ'.
ALSO KNOWN AS 19 UPMAN CT. LOCATED IN THE 1ST ELECTION
DISTRICT, 1ST COUNCILMANIC DISTRICT.***

295

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 08849

DATE 1.11.02 ACCOUNT 001-006-6150

AMOUNT \$ 100.00

RECEIVED FROM: Joyce Hinkelman 19 Upman Ct.

(DIV) AD. JAL. SD. —

OR: AMOUNT FOR SD. —

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
1/14/2002 1/11/2002 14:27:14

REC W806 CASHIER RDOS LRB DRAWER 5
>>RECEIPT # 244010 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 000049

Recpt Tot 100.00
100.00 CK .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

247

RE: Case No.: 02-295-A

Petitioner/Developer: _____

JOYCE HINKELMAN

Date of Hearing/Closing: FEB. 4, 2002

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 _____

19 UPMAN COURT

The sign(s) were posted on JAN. 17, 2002
(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)

30

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 02-295-A

PUBLIC HEARING ?

PERMIT TO PERMIT A REAR YARD SETBACK OF 16 FEET FOR A SUNROOM IN LIEU OF THE REQUIRED 35 FEET

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 02-295-A

A VARIANCE TO PERMIT A REAR YARD SETBACK OF 16 FEET FOR A SUNROOM IN LIEU OF THE REQUIRED 35 FEET

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 4:20 P.M. ON FEB. 9, 2002.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT 100 E. GREENPARK AVE. BALTIMORE, MD 21204 TEL. 867-3391

FOR MORE INFORMATION, PLEASE CALL THE ZONING OFFICE AT 100 E. GREENPARK AVE. TEL. 867-3391

**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: 295
Petitioner: JOYCE HINKELMAN
Address or Location: 19 UPMAN CT. BALTIMORE MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: PATIO ENCLOSURES INC.
Address: 224 8TH AVE NW.
GLEN BURNIE MD 21061

Telephone Number: 410-760-1919

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 295 -A Address 19 Upman Ct.
 Contact Person: J. Mewey Phone Number: 410-887-3391
 Planner, Please Print Your Name

Filing Date: 1.11.02 Posting Date: 1.20.02 Closing Date: 2.4.02

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- 295 -A Address 19 Upman Ct.
 Petitioner's Name Joyce Hinkelman Telephone 410-747-4407
 Posting Date: 1.20.02 Closing Date: 2.4.02
 Wording for Sign: A VARIANCE To Permit A REAR YARD SETBACK OF 16 ft.
FOR A SUNROOM IN LIEU OF THE REQUIRED 35 ft.

WCR - Revised 6/28/00



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

February 12, 2002

Joyce E Hinkelman
19 Upman Court
Baltimore MD 21228

Dear Ms. Hinkelman:

RE: Case Number: 02-295-A, 19 Upman Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 11, 2002.

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 Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning

Review

WCR: gdz

Enclosures

c: Patio Enclosures Inc, 224 8th Avenue NW, Glen Burnie 21061
People's Counsel

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 7, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
for February 19, 2002
Item Nos. 293, 294, (295), 296, 297, 298,
299, 300, 301, 304, 305, 306, 308,
310 and 311

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 13, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF February 11, 2002

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:

295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 506,
307, 308, 309, 311, 312,

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



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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd Taylor ^{T6T}

DATE: March 14, 2002

Zoning Advisory Committee Meeting of February 11, 2002

SUBJECT: NO COMMENTS for the FOLLOWING ZONING ITEMS:

285, 293, 294, 295, 296, 297, 305, 308, 309, 310, 311,

EIR is still reviewing Zoning Item: 312

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

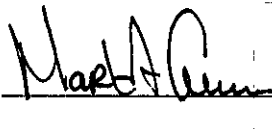
DATE: February 22, 2002

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

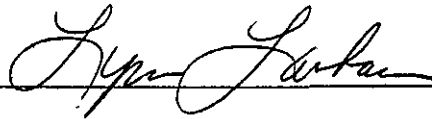
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-277,02-294, 02-295, 02-296

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:

_____

Section Chief:

_____

AFK/LL:MAC

FEB 25



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.12.02

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

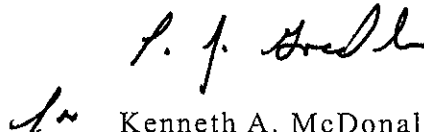
RE: Baltimore County
Item No. 295 JCM

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,


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: 19 UPMAN CT.

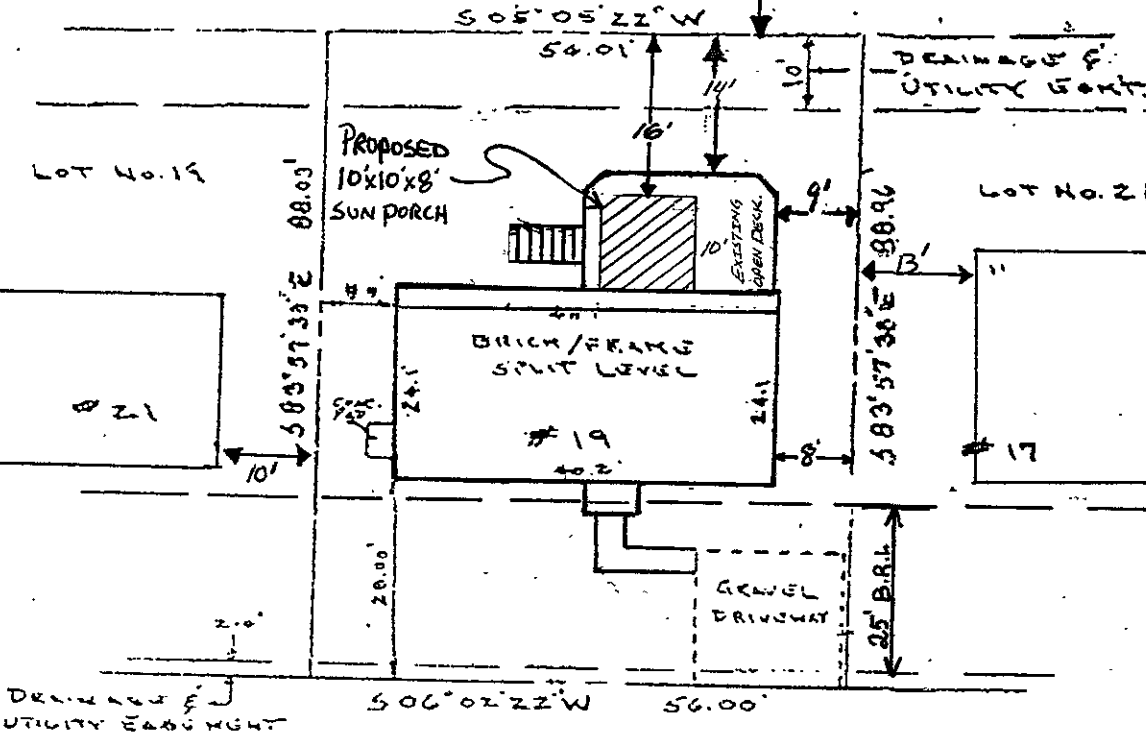
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# 63, folio# 103, lot# 20, section# _____

OWNER: JOYCE E. HINKELMAN

50'+
TO DWELLING



E UPMAN COURT
(40' R.W.)

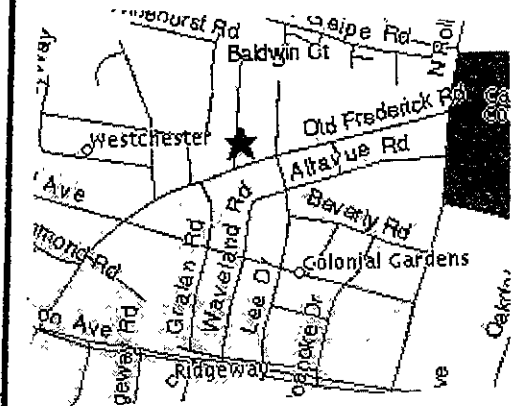


North

date: 1/19/02

prepared by: GREGORY A. FALTER

Scale of Drawing: 1" = 40'



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 01

Councilmanic District: 01

1"=200' scale map#: SW-26

Zoning: DR. 5.5

Lot size: _____
acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

90-444A, 93-344A

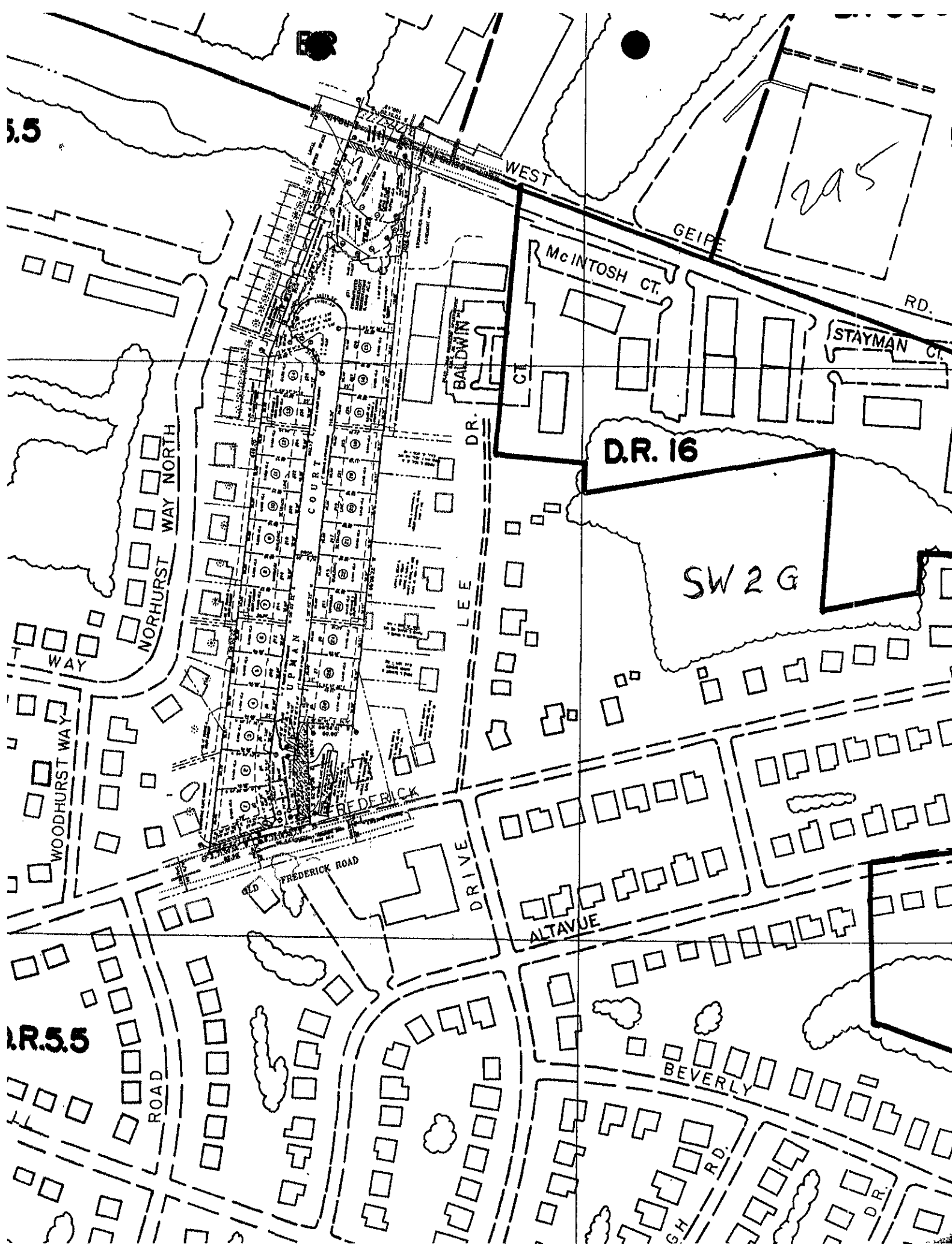
Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

SCM 295

Ret. A. #1

5.5



D.R. 5.5



RT.SIDE OF HOME AS SEEN FROM SIDEWALK



REAR OF PROPERTY AS SEEN FROM LEFT SIDE OF HOME

PHOTOS FOR THE VARIANCE
FOR JOYCE HINKELMAN
19 UPMAN CT. BALD.MD

295



LEFT SIDE OF HOME AS SEEN FROM SIDEWALK.