

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S Compass Road, 175' N *
centerline of Raintree Court * DEPUTY ZONING COMMISSIONER
15th Election District *
5th Councilmanic District * OF BALTIMORE COUNTY
(224 Compass Road) *
Sandy & James A. McVicker * CASE NO. 02-451-A
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Sandy and James A. McVicker, the legal owners of the subject property. The variance request is for property located at 224 Compass Road in the Goldentree subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition (garage) to have a side yard setback of 2.5 ft. in lieu of the required 10 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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

ORDER RECEIVED FOR FILING

Date 5/15/02

By R. Jameson

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 15th day of May, 2002, that a variance from Section 1B02.3.C.1 of the B.C.Z.R., to permit an existing single-family dwelling with addition (garage) to have a side yard setback of 2.5 ft. in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 5/15/02
By SP. Johnson



Baltimore County
Zoning Commissioner

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

May 15, 2002

Mr. & Mrs. James A. McVicker
224 Compass Road
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 02-451-A
Property: 224 Compass Road

Dear Mr. & Mrs. McVicker:

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: Gene F. Thompson
425 Maryland Avenue
Pasadena, MD 21122

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 224 COMPASS Rd.
which is presently zoned O.R. 10.5

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 (BCZR)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION (GARAGE) TO HAVE A SIDETARD OF
2.5' IN LIEU OF REQUIRED 10'.

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

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

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. 02-451-A

Reviewed By CTM Date 4/16/02

Estimated Posting Date 4/29/02

REV 10/25/01

ORDER RECEIVED FOR FILING
Date 5/15/02
By [Signature]

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

224 Compass Rd.
Address
Balto. Md. 21221
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):

When the home was purchased in 1982 the builder, Ryland Homes built the home off center to allow for the addition of a garage. We are now requesting this variance so a garage can be constructed. The garage will be located at the same distance as the driveway is from the home. This driveway was placed at this location by the builder. It would be a hardship for the owner to remove the present driveway to a point closer to the home.

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

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

James A. McKicker & Sandra M. McKicker
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

April 2/2003

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Signature

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

James A. McVicker & Sandra M. McVicker
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

April 2, 2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 224 COMPASS Rd.
which is presently zoned O.R. 10.5

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WITH ADDITION (GARAGE) TO HAVE A SIDEYARD OF
2.5 IN LIEU OF THE REQUIRED 10'.

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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

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

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. 02-451-A

Reviewed By CTM Date 4/16/02

REV 10/25/01

Estimated Posting Date 4/29/02

Zoning description for 224 Compass Road

~~NORTH WEST~~

Beginning at a point on the ~~East~~ side of Compass Road which is 75 feet wide at the distance of 175 feet North of the centerline of the nearest intersecting street Raintree Court which is 50 feet wide. Being lot #194 block 1, section #3 in the subdivision of Goldentree as recorded in Baltimore County plat book # 48, folio # 117, containing 7,100 square feet, also know as 224 Compass Raod and located in the 15 election district, 13 councilmans district.

#451

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12715

DATE 4/16/02 ACCOUNT 2001 006 6150
AMOUNT \$ 50.00

RECEIVED
FROM:

Thompson

FOR:

UNINVOICE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
4/16/2002	4/16/2002	11:43:12
REG 48302	WALKIN JENA JEE	DRAWER 2
>> RECEIPT # 197736	4/16/2002	OFLN
Dep 5	528 ZUHING VERIFICATION	
CR NO. 012715		
Receipt Tot		\$50.00
.00 CR		50.00 CR
Baltimore County, Maryland		

CASHIER'S VALIDATION



CERTIFICATE OF POSTING

RE: Case No.: 02-451-A

Petitioner/Developer: _____

JAMES & SANDY McVICKER

Date of Hearing/Closing: MAY 14, 02

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 # 224 COMPASS ROAD

The sign(s) were posted on APRIL 29, 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)

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: 02-451-A
Petitioner: James A. Sandra M.
Address or Location: 224 Compass rd. Balto. Md. 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gene F. Thompson
Address: 425 Maryland Ave.
Pasadena Md. 21122
Telephone Number: 410-242-1937

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 451 -A Address 224 COMPASS RD

Contact Person: LLOYD T. MOXLEY Planner, Please Print Your Name Phone Number: 410-887-3391

Filing Date: 4/16/02 Posting Date: 4/29/02 Closing Date: 5/14/02

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

- 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- 451 -A Address 224 COMPASS RD

Petitioner's Name JAS. SANDY McVICKER Telephone 410 391 0683

Posting Date: 4/29/02 Closing Date: 5/14/02

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION (GARAGE) TO HAVE A SIDEYARD OF 2.5'
IN LIEU OF THE REQUIRED 10'.



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

May 13, 2002

Mr. & Mrs. James A McVicker
224 Compass Road
Baltimore MD 21221

Dear Mr. & Mrs. Hall:

RE: Case Number: 02-451-A, 224 Compass Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 16, 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. G D Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Gene F Thompson, 425 Maryland Avenue, Pasadena 21133
People's Counsel

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





Baltimore County
Fire Department

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

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

April 26, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 29, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

443-451, 453, 458 + 459

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File
{PRIVATE}

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 29, 2002

FROM: *RWB* Robert W. Bowling
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 2002
Item No. 443, 444, 446, 447, 448, 449, 450, 451, 452, 453,
458 and 459

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

RWB:CEN
Cc: file

AV
5/13

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS / HGT*

DATE: June 5, 2002

JUN - 6

ZONING COM

Zoning Petitions

Zoning Advisory Committee Meeting of April 29, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

445-448, 450, 451, 459

AV
5/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 7, 2002

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



SUBJECT: 224 Compass Road

INFORMATION:

Item Number: 02-451

Petitioner: James A. McVicker

Zoning: DR 10.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit a side yard setback of 2.5 feet in lieu of the minimum required 10 feet.

Prepared by: Maet A. Cunningham

Section Chief: Lynne Handman

AFK/LL:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.26.02

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

RE: Baltimore County
Item No. 451 LTM

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).

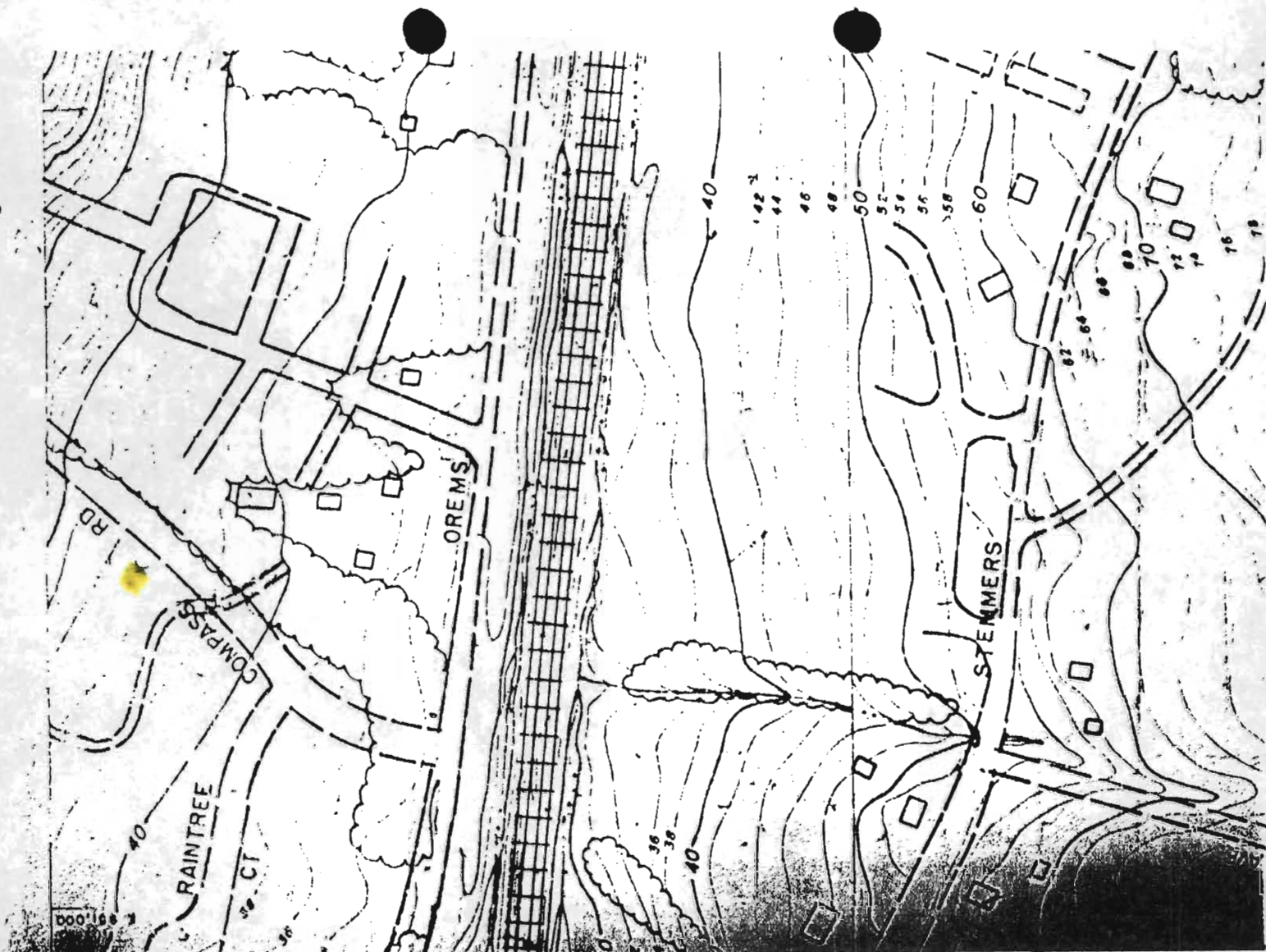
Very truly yours,

1- 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



N. E. 3 H

#451

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☐ SPECIAL HEARING

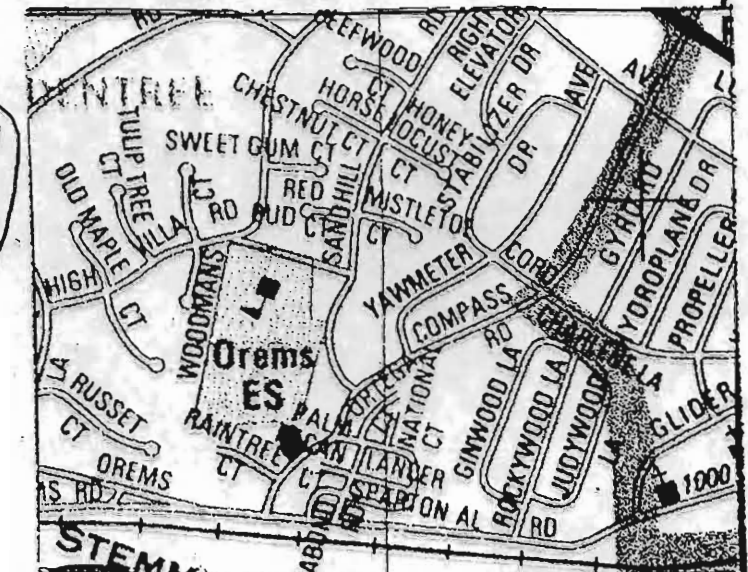
PROPERTY ADDRESS 224 COMPASS ROAD

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Golden tree

E.H.K., Jr. PLAT BOOK # 48 FOLIO # 117 LOT # 194 SECTION # 3

OWNER James A. Sandra M. McVICKER



VICINITY MAP

SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # N.E. - 3-14

ZONING 1, D.R. 10.5

LOT SIZE 1/6 7,100
ACREAGE SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

YES ☐ NO ☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING

PRIOR ZONING HEARING *1-9-97*

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

CTN

451

PREPARED BY Gene Thompson

SCALE OF DRAWING: 1" = 40

02/26/2002 16:29

410-665-145

DPW SAFETY OFFICE

D.R. 3.3

E 43,500

493

PENNS

MIDDLESEX



ML

MLR

ORENS

COMPASS RD.

RAINTREE CT.

D.R. 10.3

D.R. 5.3

ML-IM

BL

BM

STEMMERS

BL

N 12,000

E 42,000

E 145,000

N 11,000

#451



