

IN RE: PETITION FOR ADMIN. VARIANCE

NE/S Rolling Road, 193.38' from

W/S Beechwood Avenue

1st Election District

1st Councilmanic District

(105 South Rolling Road)

Deanna M.L. & James R. Keagle

Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 02-468-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 owners of the subject property, Deanna M. L. and James R. Keagle. The variance request is for property located at 105 South Rolling Road in the western area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 8 ft. and a sum of side yards of 28 ft. in lieu of the required 15 ft. and 40 ft. respectively and to permit an addition with a rear yard setback of 26 ft. in lieu of the required 40 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

ORDER RECEIVED FOR FILING

ate 5/22/02

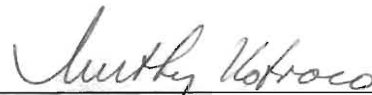
By J.R. Johnson

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.

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 22nd day of May, 2002, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 8 ft. and a sum of side yards of 28 ft. in lieu of the required 15 ft. and 40 ft. respectively and to permit an addition with a rear yard setback of 26 ft. in lieu of the required 40 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 5/22/02

By J.P. Garrison



Baltimore County
Zoning Commissioner

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

May 22, 2002

Deanna M.L. & James R. Keagle
105 South Rolling Road
Baltimore, Maryland 21228

Re: Petition for Administrative Variance
Case No. 02-468-A
Property: 105 South Rolling Road

Dear Mr. & Mrs. Keagle:

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 105 SOUTH ROLLING ROAD
which is presently zoned D.R.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) 1B02.3C.1 (B.C.Z.R.)

TO PERMIT AN ADDITION WITH A SIDE YARD SETBACK OF 8 FEET AND A SUM OF SIDE YARDS OF 28 FEET IN LIEU OF THE REQUIRED 15 FEET AND 40 FEET RESPECTIVELY. AND TO PERMIT AN ADDITION WITH A REAR YARD SETBACK OF 26 FEET IN LIEU OF THE REQUIRED 40 FEET. 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.

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):

JAMES RUSSELL KEAGLE

Name - Type or Print

Signature

DEANNA M.L. KEAGLE

Name - Type or Print

Signature

105 SOUTH ROLLING ROAD 410-255-6853

Address

BAITIMORE

City

MD

State

Telephone No.

21228

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

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. 02-468-A

Reviewed By D. THOMPSON Date 4/24/02

Estimated Posting Date 5/6/02

REV 10/25/01

ORDER RECEIVED FOR FILING

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 105 SOUTH ROLLING ROAD
City BALTIMORE State MD Zip Code 21228

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. DUE TO A GROWING FAMILY MORE SPACE IS REQUIRED
2. DUE TO HOUSING PRICES ON THE RISE WE ARE UNABLE TO AFFORD NEW HOUSING.
3. DUE TO THE CURRENT SHAPE & STABILITY OF THE EXISTING STRUCTURE WE NO LONGER HAVE USE OF THE PORCH

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 James Russell Keagle
Name - Type or Print JAMES RUSSELL KEAGLE

Signature Deanna M.L. Keagle
Name - Type or Print DEANNA M.L. KEAGLE

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 Russell Keagle and Deanna M.L. Keagle
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Signature Deborah B. Kohmle
Notary Public
My Commission Expires 12/28/05

Zoning description for 105 South Rolling Road.

Beginning for the same on the northeast side of Rolling Road one hundred and ninety-three and thirty-eight hundredths feet northwesterly from the west side of Beechwood Avenue ; and running thence north fifty-two degrees fifty-six minutes west binding on the northeast side of Rolling Road sixty-five and five hundredths feet ; thence north thirty-three degrees twenty-two minutes east eighty and seventy-five hundredths feet ; thence north eight degrees forty-four minutes west forty-four and ninety-five hundredths feet ; thence north eighty-one degrees twenty-one minutes east twenty feet ; thence south twenty-two degrees forty-one minutes east one hundred and four and five hundredths feet , and thence south thirty-eight degrees two minutes west seventy-four feet to the beginning. The improvements thereon now being known as 105 South Rolling Road.

#1468

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13315

DATE 4/24/02 ACCOUNT R0010066150

AMOUNT \$ 50.00

RECEIVED FROM: DEANNA KEAGLE

FOR: ITEM # 468 02-468-A 105 S. ROLLING RD.

(ADM VAR) BN D. THOMPSON

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

DATE RECEIPT
PAID RECEIPT

BUSINESS ACTUAL TIME
4/24/2002 4/24/2002 12:01:11

REG 4805 WALKIN RDOS LRB DRAWER 5

RECEIPT # 262722 4/24/2002 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 015515

Receipt Tot \$50.00

50.00 OK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-468-A

Petitioner/Developer: _____

DEANNA KEAGLE

Date of Hearing/Closing: 5/21/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: MR. GEORGE SAHNER
~~MR. GEORGE SAHNER~~

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 _____

105 S. ROLLING ROAD

The sign(s) were posted on _____

5/6/02

(Month, Day, Year)

Sincerely,

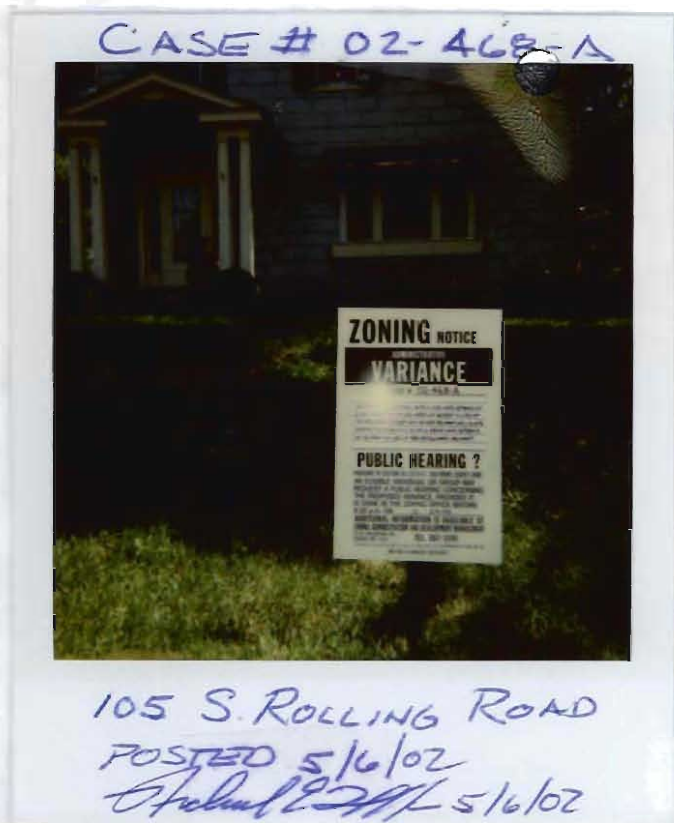
Richard E. Hoffman 5/6/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

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

(410) 879-3122
(Telephone Number)



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: 02-468-A

Petitioner: JAMES R. + DEANNA M.L. KEAGLE

Address or Location: 105 S. ROLLING RD. , 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. JAMES R. KEAGLE

Address: 105 S. ROLLING RD.
BALTO. MD 21228

Telephone Number: 410-869-9057

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 468 -A

Address 105 SOUTH ROLLING RD., 21228

Contact Person: DONNA THOMPSON
Planner. Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4/24/02

Posting Date: 5/6/02

Closing Date: 5/21/02

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- 468 -A

Address 105 SOUTH ROLLING RD., 21228

Petitioner's Name KEAGLE

Telephone 410-869-9057

Posting Date: 5/6/02

Closing Date: 5/21/02

Wording for Sign: To Permit AN ADDITION WITH A SIDE YARD SETBACK OF
8 FEET AND SUM OF SIDE YARDS OF 28 FEET IN LIEU OF THE REQUIRED
15 FEET AND 40 FEET RESPECTIVELY. AND TO PERMIT AN ADDITION
WITH A REAR YARD SETBACK OF 26 FEET IN LIEU OF THE REQUIRED
40 FEET.

WCR - Revised 6/28/00



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

May 7, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: Distribution Meeting of May 6, 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:

460-462, 464-468, 470 & 471

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
Department of Permits and
Development Management

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

May 21, 2002

Mr. & Mrs. James R Keagle
105 S Rolling Road
Baltimore MD 21228

Dear Mr. & Mrs. Keagle:

RE: Case Number:02-468-A, 105 S Rolling Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 24, 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.
Supervisor, Zoning Review

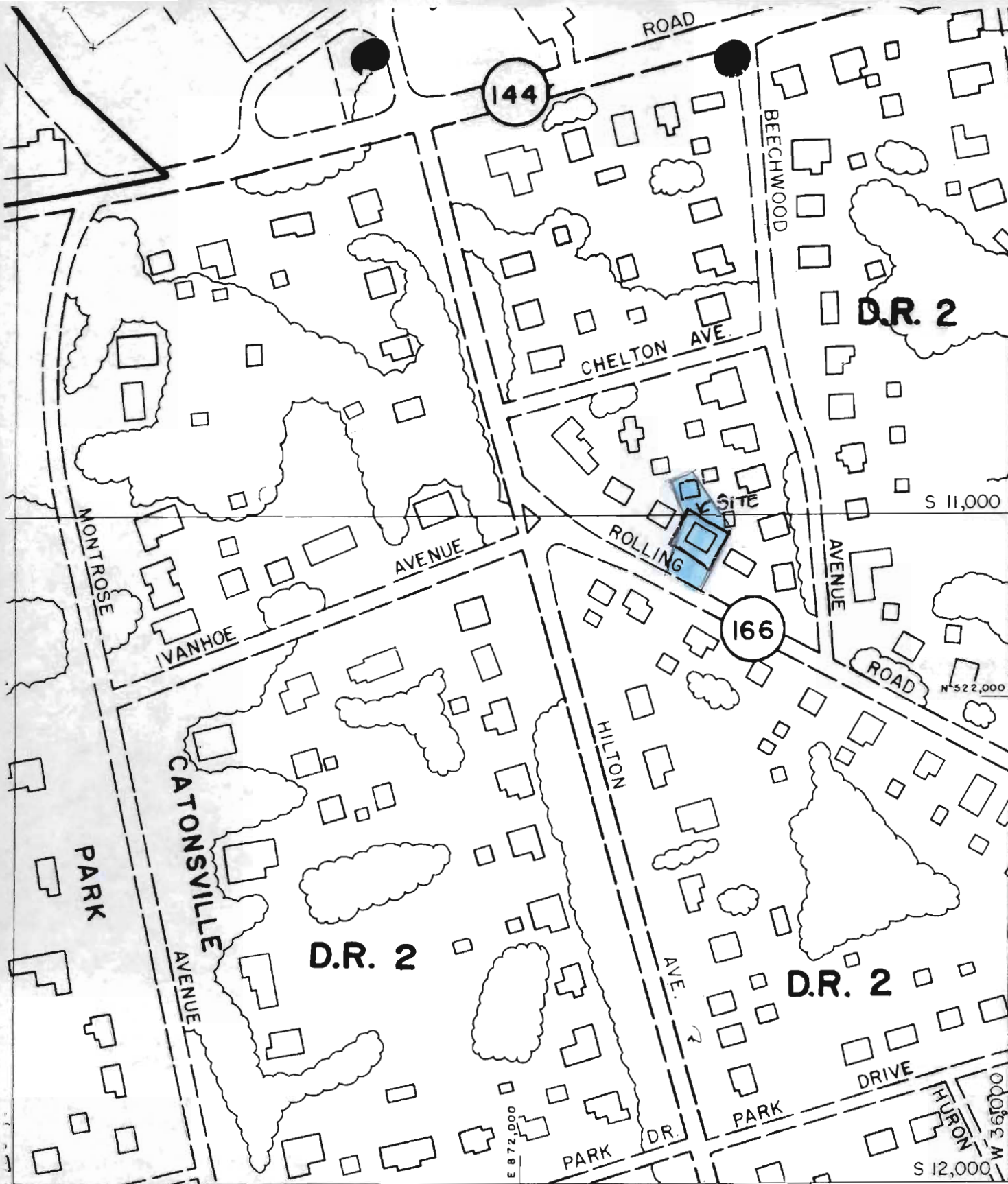
WCR: gdz

Enclosures

c: People's Counsel

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





SCALE	LOCATION	SHEET
1" = 200' ± DATE OF PHOTOGRAPHY JANUARY 1986	CATONSVILLE	S.W. 3-G #468

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 13, 2002

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

MAY 14

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-465, 02-467, and 02-468

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.2.01

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

RE: Baltimore County
Item No. 468

DT

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *283 / TLT*

DATE: June 6, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of May 6, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

468
460,462,465-469,471

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 May 6, 2002
Item No. 460, 461, 462, 463, 464, 465, 466, 467, 468, 469
and 471.

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

RWB:CEN
Cc: file







PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

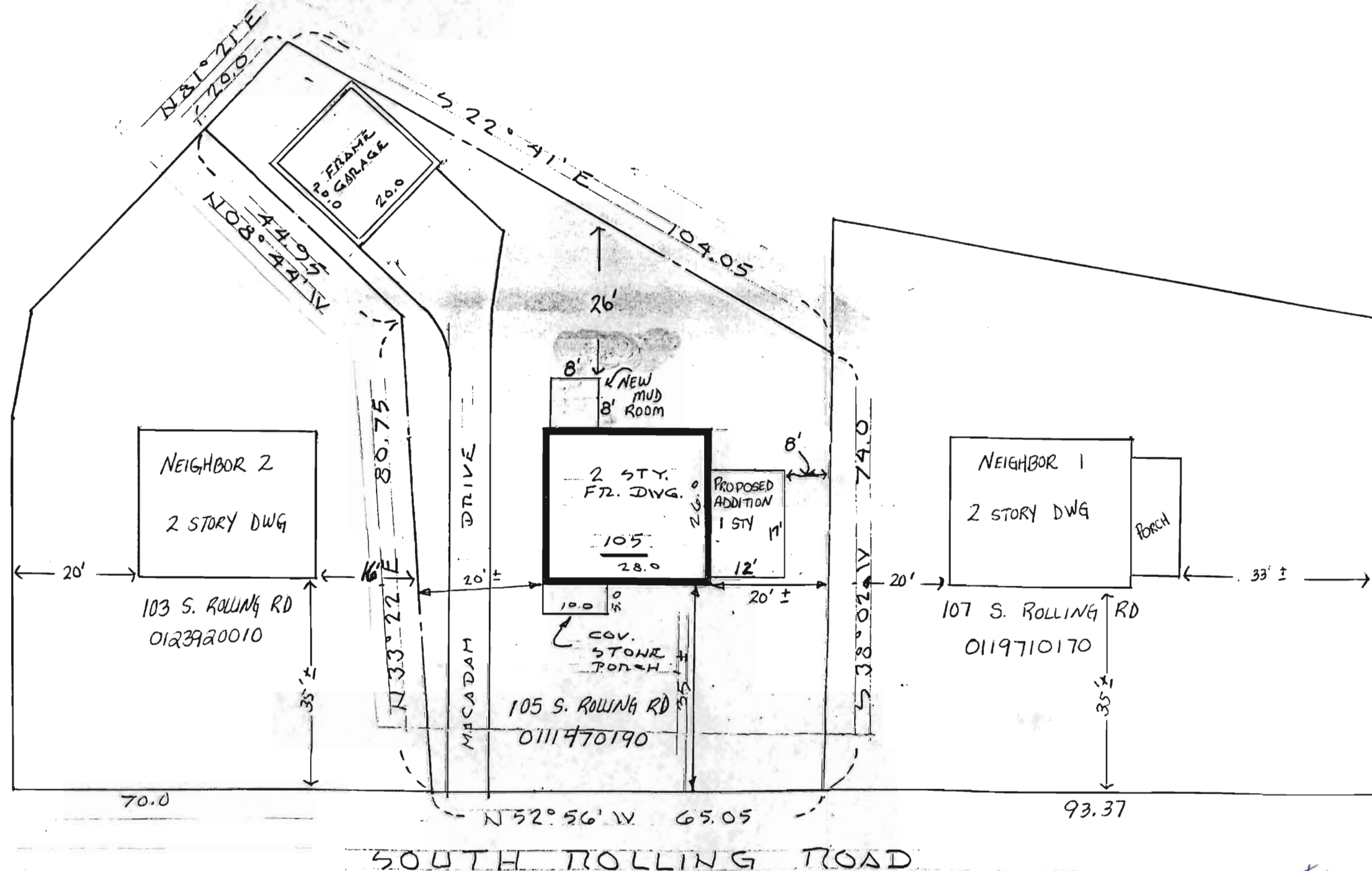
PROPERTY ADDRESS 105 S. ROLLING RD

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

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER MR. & MRS. JAMES R. KEAGUE

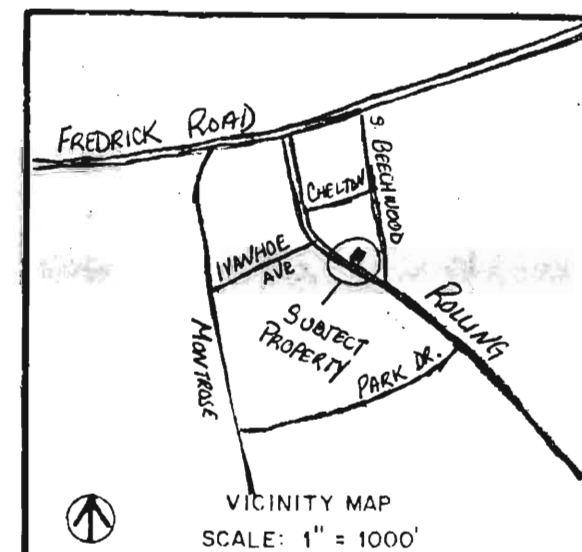


HOUSE SHOWING 2 PROPOSED ADDITIONS
MUD ROOM & FAMILY ROOM



PREPARED BY DEANNA M.L. KEAGUE (OWNER)

SCALE OF DRAWING: 1" = 20'



LOCATION INFORMATION

ELECTION DISTRICT 1ST
COUNCILMANIC DISTRICT 1ST
1" = 200' SCALE MAP # S.W. 3 G
ZONING D.R. 2
LOT SIZE 7095 ACREAGE 0.16 AC.
SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

D. THOMPSON 4/68 05-468-A