

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W/S of West Hills Parkway, 307' N	*	ZONING COMMISSIONER
centerline of Charing Cross Road	*	
1st Election District	*	OF BALTIMORE COUNTY
1st Councilmanic District	*	
(718 West Hills Parkway)	*	CASE NO. 02-523-A
Veronica & Alfred James	*	
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Veronica and Alfred James. The variance request is for property located at 718 West Hills Parkway in the western area of Baltimore County. The variance requests are from Sections 301.1.A and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a carport with a side yard setback of 4 ft. in lieu of the required 7.5 ft.; to allow an open porch with a rear yard setback of 12 ft. in lieu of the required 22.5 ft.; and to allow an addition with a rear yard setback of 14 ft. in lieu of the required 30 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

ORDER RECEIVED FOR FILING
 Date 6/18/02
 By R. J. Jenson

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 Zoning Commissioner for Baltimore County, this 18th day of June, 2002, that a variance from Sections 301.1.A and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a carport with a side yard setback of 4 ft. in lieu of the required 7.5 ft.; to allow an open porch with a rear yard setback of 12 ft. in lieu of the required 22.5 ft.; and to allow an addition with a rear yard setback of 14 ft. in lieu of the required 30 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.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING

Date

6/18/02

By





Baltimore County
Zoning Commissioner

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

June 18, 2002

Thomas J. Hoff
406 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No. 02-523-A
Property: 718 West Hills Parkway

Dear Mr. Hoff:

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,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

c: Mr & Mrs Alfred James
718 West Hills Parkway
Baltimore MD 21229

Census 2000

For You, For Baltimore County

Census 2000



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on Recycled Paper

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Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 718 WEST HILLS PARKWAY
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)

SEE ATTACHED

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:

ALFRED JAMES
Name - Type or Print

[Signature]
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):

VERONICA A JAMES
Name - Type or Print

[Signature]
Signature

* ALFRED JAMES
Name - Type or Print

* [Signature]
Signature

718 WEST HILLS PARKWAY
Address Telephone No. 410-747-1627

BALTIMORE MD. 21229
City State Zip Code

Representative to be Contacted:

THOMAS J. HOFF
Name Telephone No. 410-296-3668

406 W. PENNSYLVANIA AVE.
Address Telephone No.

TOWSON MD. 21204
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 05/23 day of May, 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. 02523 - A

Reviewed By SOA Date 05-22-07

Estimated Posting Date 06-04-07

REV 10/25/01

ORDER RECEIVED FOR FILING
Date 05/23/07
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 718 WEST HILLS PARKWAY
Address
BALTIMORE, MD. 21229
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):

SEE ATTACHED

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.

Veronica James
Signature
VERONICA A JAMES
Name - Type or Print

Alfred James
Signature
ALFRED JAMES
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of May, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Veronica James, Alfred James
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Nansie Williams
Notary Public

My Commission Expires 03/24/03

ZONING RELIEF REQUESTED:

SECTION 301.1.A. – VARIANCE TO ALLOW A CARPORT WITH A SIDE YARD SETBACK OF ~~4~~ FEET IN LIEU OF THE REQUIRED 7.5'.

SECTION 301.1.A. – VARIANCE TO ALLOW AN OPEN PORCH WITH A REAR YARD SETBACK OF ~~12~~ FEET IN LIEU OF THE REQUIRED 22.5'.

SECTION 1B02.3.C.1. – VARIANCE TO ALLOW AN ADDITION WITH A REAR YARD SETBACK OF ~~14~~ IN LIEU OF THE REQUIRED 30'.

BD

PRACTICAL DIFFICULTY:

THE PURPOSE OF THE ADDITION IS TO PROVIDE A FIRST FLOOR BEDROOM. THE OWNERS ARE SENIOR CITIZENS AND USING THE STAIRS IS BECOMING MORE DIFFICULT.

THE CARPORT IS LOCATED IN THE ONLY REASONABLE LOCATION ON THE LOT. IT IS IMMEDIATELY ADJACENT TO THE EXISTING PARKING PAD AND CAN BE CONVENIENTLY ACCESSED FROM BOTH THE FRONT AND REAR ENTRANCES.

02-523-A

THOMAS J. HOFF, INC.
Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

May 20, 2002

Description of 718 West Hills Parkway, to Accompany Petition for Variances.

BEGINNING FOR THE SAME at a point on the west R/W line of West Hills Parkway, being 307 feet more or less from the centerline of Charing Cross Road.

Thence binding on the west side of West Hills Parkway,

- 1) North 30 degrees 45 minutes West 27.5 feet,
- 2) By a curve to the right having a radius of 156.99 feet and a length of 35.30 feet, thence leaving the west side of West Hills Parkway,
- 3) South 59 degrees 15 minutes West 88.95 feet,
- 4) South 30 degrees 45 minutes East 62.5 feet,
- 4) North 59 degrees 15 minutes East 85 feet to the place of beginning.

Containing 0.12 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.



02-523-A

02-523 A
No. 13389

AMOUNT \$ 50.00

FOR: 1-511 or 212-697-1111

YELLOW - CUSTOMER

PAID RECEIPT
PAID RECEIPT

BUSINESS	ACTION	TIME
5/23/2002	5/22/2002	15:30:30
5	WOLKIN JRIC JHR DRAWER	1
6	CLIP1 # 091927	5/22/2002
	5	52B ZONING VERIFICATION
161	013399	

Receipt for \$30.00
 00 OK 10.00 PA
 Jefferson County, Kentucky

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 02-523-A
Petitioner/Developer:
Veronica & Alfred James
Closing Date: 06/18/02

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

Attention: Mr. George Zahner

Ladies and Gentlemen:

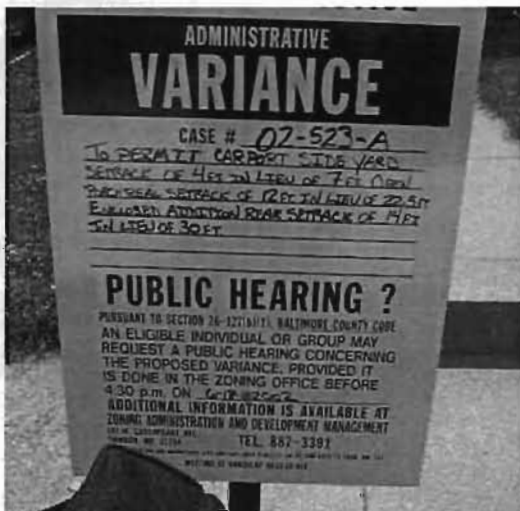
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **718 West Hills Pkwy.**

The sign(s) were posted on **06/04/02.**

Sincerely,



Thomas J. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-523-A

Petitioner: ALFRED & VERONICA JAMES

Address or Location: 710 WEST HILLS PARKWAY
BALTIMORE, MD. 21229

PLEASE FORWARD ADVERTISING BILL TO:

Name: ALFRED JAMES

Address: 710 WEST HILLS PARKWAY
BALTIMORE, MD. 21229

Telephone Number: 410-747-1627

Revised 2/20/98 - SCJ

02-523-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 523 -A Address 718 West Hills Pkwy.
Contact Person: Sean R. Anderson Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 05-22-02 Posting Date: 06-04 Closing Date: 06-18

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- 523 -A Address 718 West Hills Pkwy.
Petitioner's Name Veronica A. Allen - Samuels Telephone 410-747-1637
Posting Date: 06-04-02 Closing Date: 06-18-02
Wording for Sign: To Permit CARPORT SIDEYD SETBACK OF 4 FT. IN LIEU OF 7 FT.
OPEN PORCH REAR SETBACK OF 12 FT. IN LIEU OF 22.5 FT.
ENCLOSED ADDITION REAR SETBACK OF 14 FT. IN LIEU OF
30 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

June 17, 2002

Mr. & Mrs. Alfred James
718 West Hills Parkway
Baltimore MD 21229

Dear Mr. & Mrs. James:

RE: Case Number: 02-523-A, 718 West Hill Parkway

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 22, 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. 672
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Thomas J Hoff, 406 W Pennsylvania Avenue, Towson 21204
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

May 30, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 3, 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:

511-519, 521-523

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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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** July 10, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2002
Item Nos. 511, 512, 513, 514, 516, 517,
518, 519, 520, 521, 522, and 523

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

RB 1/26T

DATE: July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of June 3, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

523

511-514, 516, 517, 519-525, 527, 529-531, 533

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 3, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-513, & 02-523

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:

Lyman Jablon

AFK/LL:MAC

5005 T MUL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.28.02

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

RE: Baltimore County
Item No. 523 JRA

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).

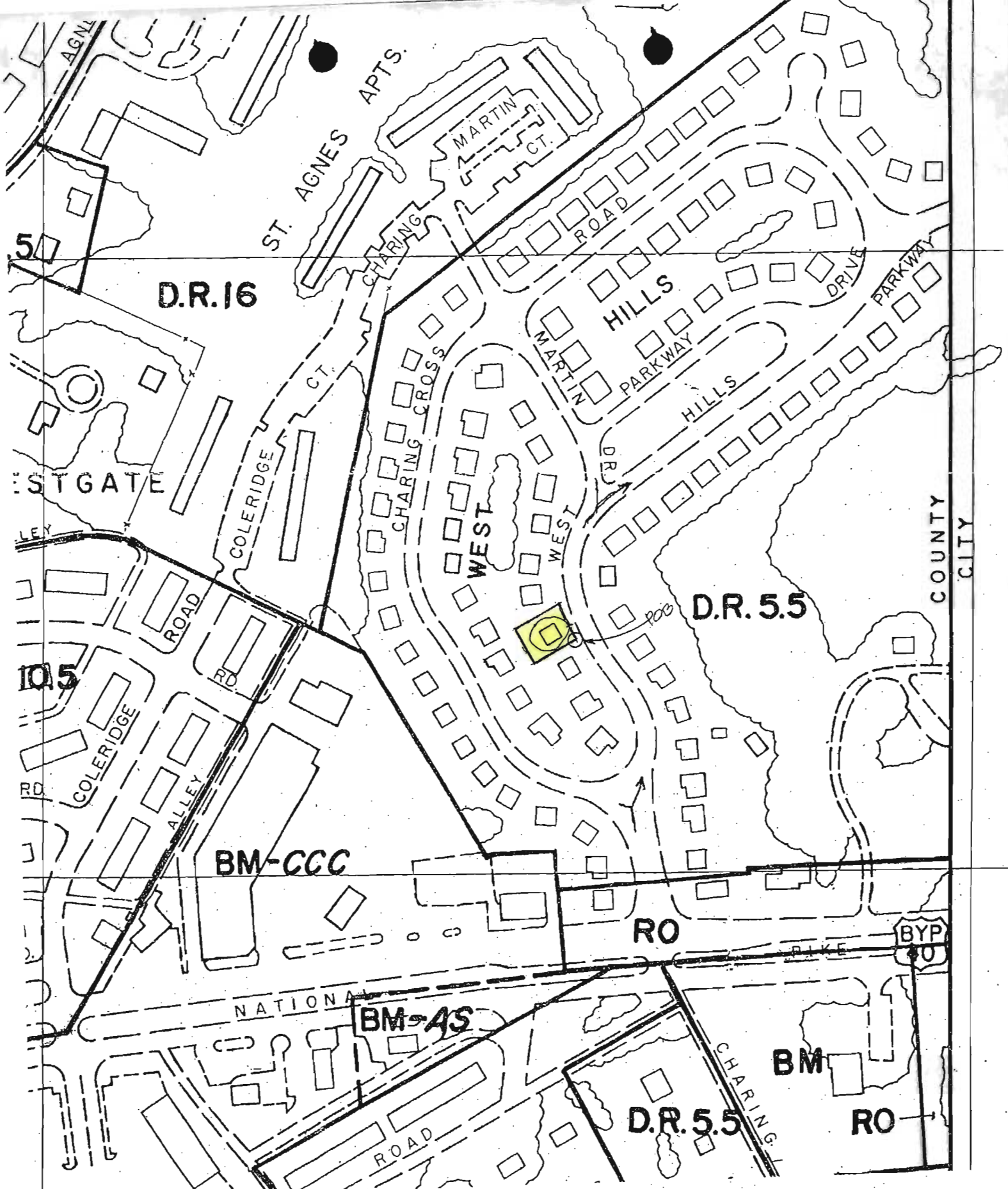
Very truly yours,

K.A. 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



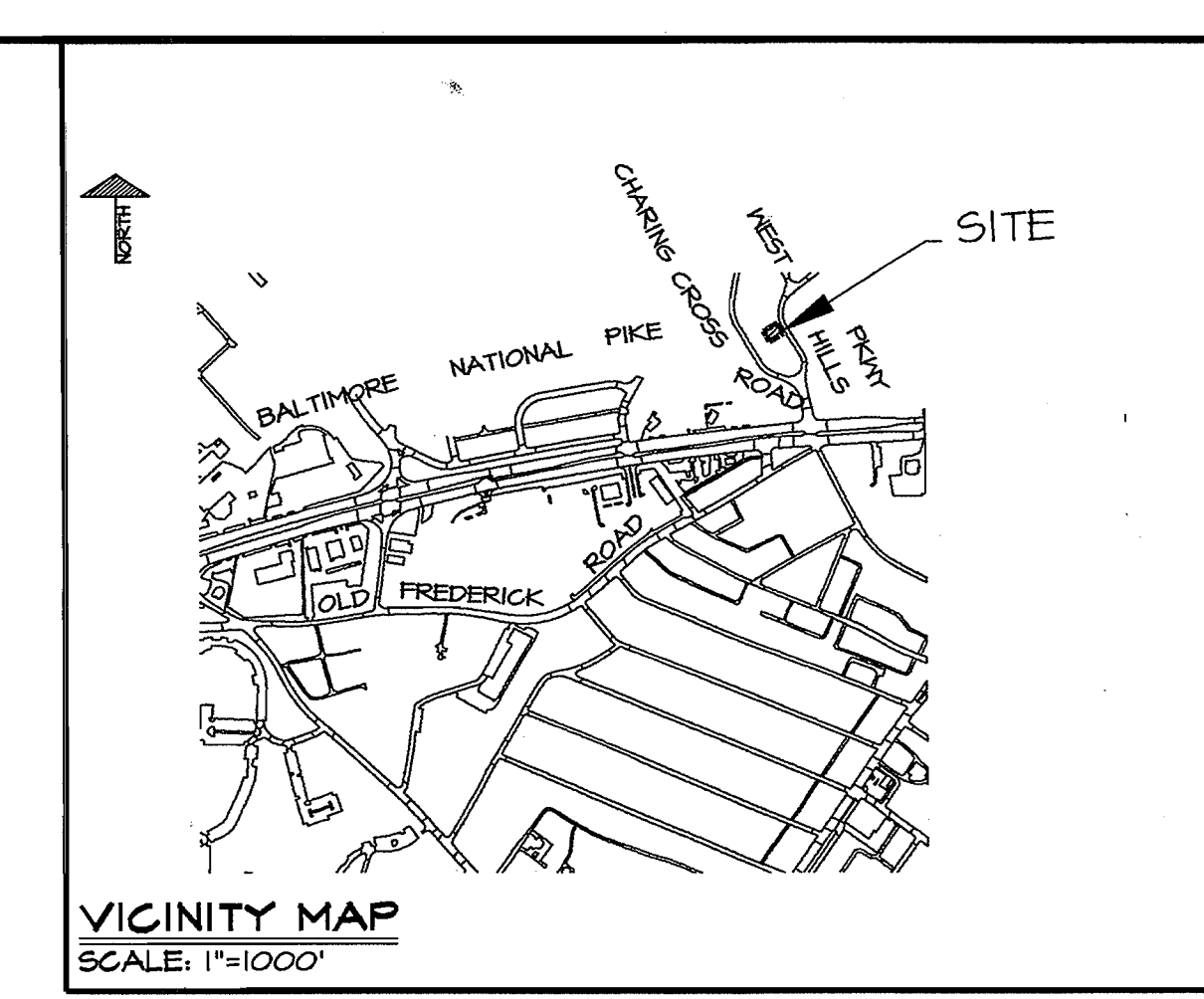
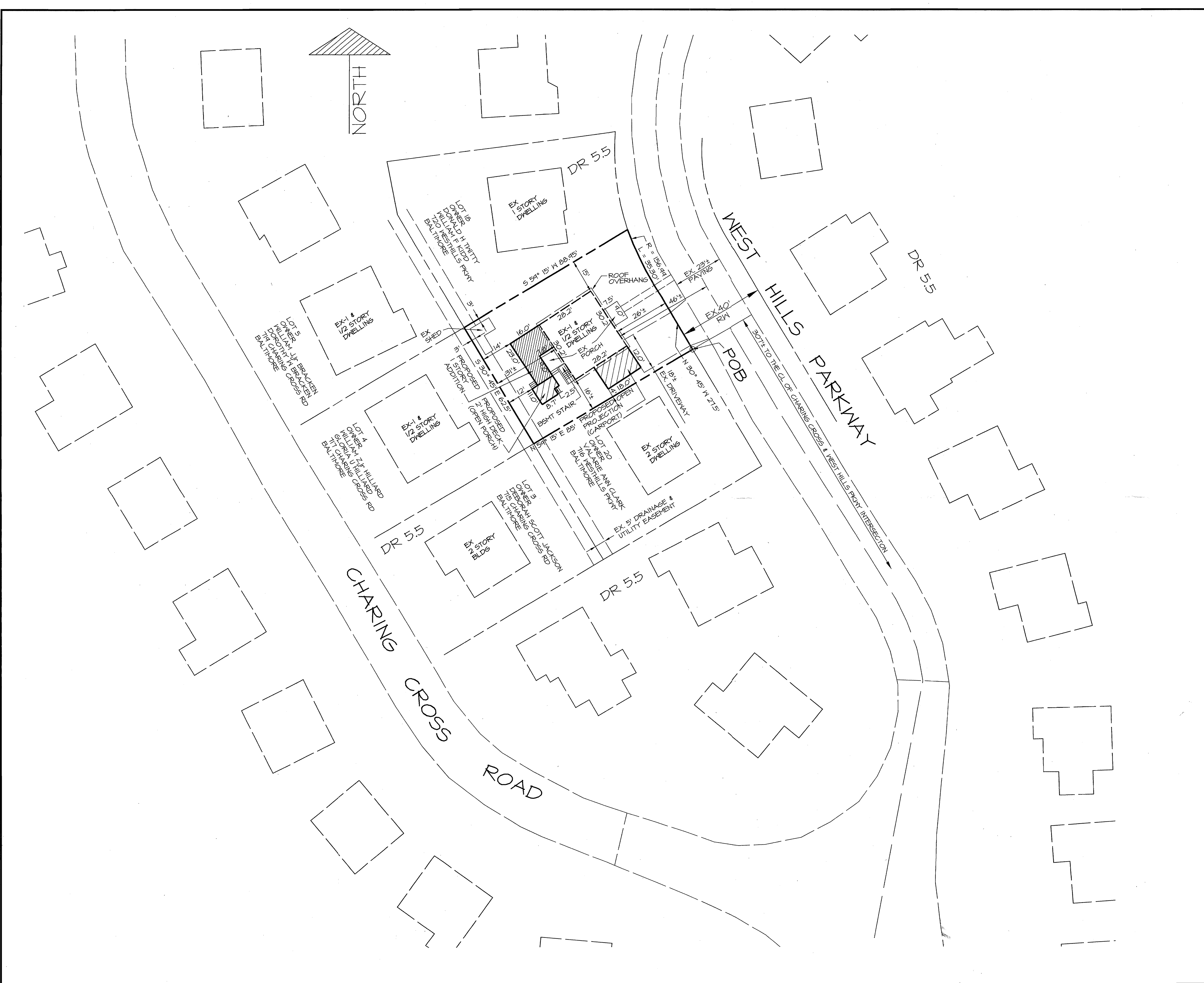
SW 1E

02-523-A









SITE DATA:
NET SITE AREA- 5332.00 SF, 0.12 AC.±
EXISTING ZONING DR-5.5 SU I-E
EXISTING USE - RESIDENTIAL
PROPOSED USE - RESIDENTIAL

ZONING HISTORY:
NO ZONING HISTORY

CRG/DEVELOPMENT PLAN HISTORY:
THERE ARE NO PRIOR CRG OR DEVELOPMENT PLANS FOR THIS PROPERTY.
SUBDIVISION WAS RECORDED IN 1941.

GENERAL NOTES:
1) THE BOUNDARY SHOWN HEREON IS TAKEN FROM DEEDS & PLATS, AND DOES NOT REPRESENT A FIELD RUN BOUNDARY SURVEY.
2) THE EXISTING TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM COUNTY GIS AND OTHER RECORDS.
3) SITE IS SERVED BY PUBLIC WATER & SEWER
4) SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
5) THERE ARE NO STREAMS, WETLANDS OR FLOOD PLAINS ON SITE.
6) NO HISTORIC STRUCTURES.

ZONING RELIEF REQUESTED:
SECTION 301.1.A. - VARIANCE TO ALLOW A CARPORT WITH A SIDE YARD SETBACK OF 4' IN LIEU OF THE REQUIRED 15'.
SECTION 301.1.A. - VARIANCE TO ALLOW AN OPEN PORCH WITH REAR YARD SETBACK OF 12' IN LIEU OF THE REQUIRED 22.5'.
SECTION 1 B02.3.C.1. - VARIANCE TO ALLOW AN ADDITION WITH REAR YARD SETBACK 14' IN LIEU OF THE REQUIRED 30'.

OWNER:
VERONICA A. JAMES
ALFRED JAMES
718 WEST HILLS PKWY
BALTIMORE MD 21224-1117
DEED REF. 15121/584
TAX ACC. #0105430360

PLAN TO ACCOMPANY PETITION FOR ADMINISTRATIVE VARIANCE 718 WEST HILLS PARKWAY LOT 19, BLOCK "B", PLAT REF. 12/113 TAX MAP #45, GRID #15, PARCELS #232 1st ELECTION DISTRICT, 1st COUNCILMANIC BALTIMORE COUNTY, MD	
THOMAS J. HOFF, INC. LAND DEVELOPMENT CONSULTANTS LANDSCAPE ARCHITECTS 406 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 410-296-3668 FAX 410-296-5326	SCALE: 1"=20'
	DATE: 05/22/02
	JOB NO.:
	DESIGNED: TJH/ZJJ
DRAWN: ZJJ	
CHECKED: TJH	
REVISIONS:	DRAWING NUMBER: ZP-1
SHEET OF	

Ret. by #1 02-523-A