IN RE: PETITION FOR ADMINISTRATIVE SPECIAL HEARING

N/S Western Run Road, 503' W

centerline of Western Road

8th Election District

3rd Councilmanic District

(1000 Western Run Road)

Charles Ryan Carroll

Petitioner

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-042-ASPH

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Special Hearing filed by the legal owner of the subject property, Charles Ryan Carroll. The property is located at 1000 Western Run Road in the Sparks area of Baltimore County. The subject property is zoned R.C.4. The Petitioner seeks approval of a waiver, pursuant to Sections 26-171 and 26-172(b) of the Baltimore County Code of Sections 26-203(c)(8) and 26-278 thereof, to raze, alter, and construct an addition to a historic building in the Western Run Belfast National Register Historic District. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Special Hearing.

As noted above, the Petitioner filed the instant request through a Petition for Administrative Special Hearing. The Administrative Special Hearing process is similar to the Administrative Variance process set out in Section 26-127 of the Baltimore County Code, whereby the Deputy Zoning Commissioner is permitted to grant variance relief without a public hearing in certain cases. Specifically, that section provides that upon request for an administrative variance from an owner/occupant of a residential property, the property in question is posted with notice of the variance relief sought for a period of at least 15 days. The subject property was posted with a sign describing the request on August 5, 2002. There was no request by the public for a hearing nor any public input for the requisite period of fifteen (15)

John Sold

days after posting the property. The matter is now eligible for review and resolution by this Hearing Officer.

The Petitioner has filed the supporting affidavits as required by Section 26-127(b)(1) of the Baltimore County Code. A description of the property contained within the case file indicates that the property consists of 4.0 acres of land, more or less, zoned R.C.4. The information submitted is persuasive to a finding that the proposed addition will not be inappropriate. There were no adverse comments from any Baltimore County reviewing agency. Moreover, the relief requested complies with the requirements of the Baltimore County Zoning Regulations and should therefore be approved.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27 day of August, 2002, that the request for Administrative Special Hearing to approve a waiver pursuant to Sections 26-171 and 26-172(b) of the Baltimore County Code of Sections 26-203(c)(8) and 26-278 thereof, to raze, alter, and construct an addition to a historic building in the Western Run Belfast National Register Historic District, be and is hereby GRANTED.

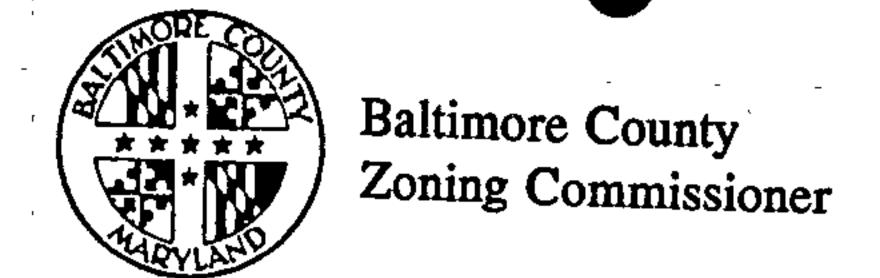
1) The Petitioner may apply for his permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M.KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

August 27, 2002

Mr. Charles Ryan Carroll
1 Coniston Road
Towson, Maryland 21204

Re: Petition for Administrative Special Hearing

Case No. 03-042-ASPH

Property: 1000 Western Run Road

Dear Mr. Carroll:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Special Hearing 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,

! luttly lotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: Peter Ratcliffe, A.I.A. 10404 Stevenson Road Stevenson, MD 21153

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1000 WESTERU RUU ROAD which is presently zoned RESPOENTAL RC4

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 Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to

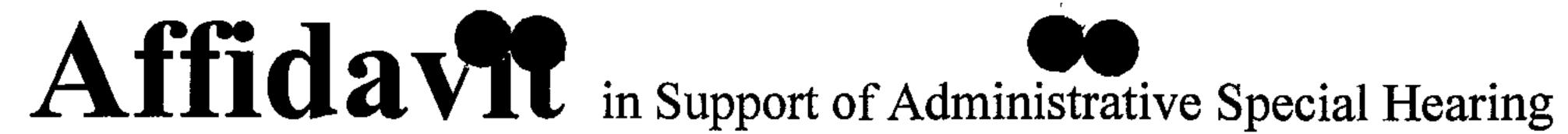
PAZE, ALTER, WE CONSTRUCT ADDITION TO THE EXISTING HISTORIC BUILDING

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

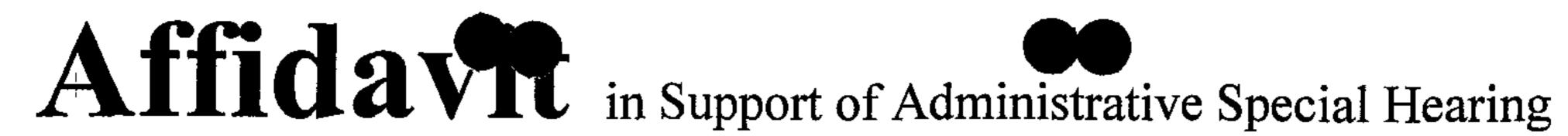
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

•			1/VVe do solemnly declare a perjury, that I/we are the le is the subject of this Petitio	gal owner(s) of the p	•
Contract Purchaser/Less	see:		Legal Owner(s):	1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1	
! !			CHARLES 7	RYANT CARRY	POLL
Name - Type or Print			Name - Type or Print	Conde	
Signature			Signature		
Address		Telephone No.	Name - Type or Print	······································	
City Attorney For Petitioner:	State	Zip Code	Signature 0/0/5/00 Address	190AD 41	0-825-8//6 Telephone No.
Name Type or Brint			Towson City	M)) _v	21204 Zip Code
Name - Type or Print			•		Zip Code
Signature		<u> </u>	Representative to be	ZIFFE, H	Tota
Company	 -		Name 11)41)41 STF1	HUSWORD)	40-484-10
Address	· ,	Telephone No.	Address STEILENGOIC	MM	Telephone No.
City	State	√Zip Code	City	State	Zip Code
Case 198	, that	the subject matter of the bear specification of of the bear	his petition be set for a public heari	ning Commissioner of ng, advertised, as required to the second se	ired by the zoning



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	10015100 Address	ROAI)	
	1069010.	State	21204 Zip Code
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	.' ormal demand is filed, additional information.	Affiant(s) will be required	to pay a reposting and
Thats Ryan Could Signature	Signat	ture	
CHARIES RYAID CARRO Name - Type or Print	Name	- Type or Print	
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this 19^{44} day of 39^{44} of Maryland, in and for the County aforesaid, pe	uly	, <u>೩೦೦೭</u> , before me, a Not	tary Public of the State
Charles Ryan Carrol	' (
the Affiant(s) herein, personally known or satisfallaw that the matters and facts hereinabove set for	actorily identified to me		
AS WITNESS my hand and Notarial Seal			
7/14/oz Date	Backa Notary Public	ara Wey Tor (TOTARY TO THE PARTY OF THE PART
REV 9/18/98	My Commissi	ion Expires <u>5/1/200</u>	3 PUBLIC SE



REU 9/18/98

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	1 CON 151010 Address	BOAD	
	TUUSON.	State	21204 Zip Code
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, additional information.	Affiant(s) will be required	to pay a reposting and
Thous Ryan Gamell Signature	Signat	ure	
CHARLES RYAU CARROLL Name - Type or Print	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	- Type or Print	<u> </u>
STATE OF MARYLAND, COUNTY OF BALTIN	•		
I HEREBY CERTIFY, this 19 day of 50	/	_ <u>೭೮೦೭</u> , before me, a No	tary Public of the State
Charles Ryan C	arroll		
the Affiant(s) herein, personally known or satisfall law that the matters and facts hereinabove set for			
AS WITNESS my hand and Notarial Seal			
7 14 0 Z Date	Boub Notary Public	accibé 700	() RA WEVA
	My Commissi	ion Expires 5/1/200) Z HOTAR .

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1000 WESTERIU RUN ROAD which is presently zoned 17510 ENTIAL RC4

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 Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to

RAZE, ALTER OR CONSTRUCT ADDITION TO THE EXISTING HISTORIC BUILDING

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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:		<u>Legal Owner(s):</u>
			CHARLES RYAIU CARROLL
Name - Type or Print			Name - Type or Print Rugar Comcel
Signature			Signature
Address	<u> </u>	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature o
Attorney For Petitio	ner:		1 COUSION MOHIS 410-825-811
			Address Telephone No. 21204
Name - Type or Print			City State Zip Code
		· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted:
Signature	<u>, </u>		PETER RATCLIFFE, H.I.A.
Company			Name 10404 STEUEIUSON RD. 410-484-10
Address		Telephone No.	Address Telephone No. 21153
City	State	Zip Code	City State Zip Code
A Public Hearing having be this day of regulations of Baltimore Court	tha	at the subject matter	be required, it is ordered by the Zoning Commissioner of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning
	``		Zoning Commissioner of Baltimore County
Case No. <u>93</u>	-04z-s	PH	Reviewed By CTM Date 7/24/02
REV 9 18 98			estimated Posting Date

ZONING DESCRIPTION FOR: 1000 WESTERN RUN ROAD

Beginning at a point on the North side of Western Run Road which is 40 feet wide at a distance of approximately 503 feet West of the centerline of the nearest intersecting street Western Road which is 30 feet wide.

As recorded in Deed Liber 16532, Folio 724

Being:

N 53 degrees 35 minutes E, 187.86 ft. thence,

N 56 degrees 09 minutes E, 108.00 ft. thence,

N 55 degrees 18 minutes E, 306.25 ft. thence,

S 28 degrees 01 minutes E, 396.65 ft. thence,

S 45 degrees 23 minutes W, 57.75 ft. thence,

S 46 degrees 19 minutes W, 246.00 ft. thence,

N 50 degrees 58 minutes W, 60.00 ft. thence, N 53 degrees 41 minutes W, 219.50 ft. thence,

Northwesterly by a line curving toward the West with a radius of 200.00

ft. and a chord which bears N 68 degrees 58 minutes W, 105.44 ft

the distance of 106.70 ft. thence,

N 84 degrees 15 minutes W, 43.5 ft. thence,

N 88 degrees 50 minutes W, 50.0 ft. thence,

N 85 degrees 24 minutes W, 45.0 ft. thence,

To the place of Beginning.

Containing 4.0 Acres and located in the 8th Election District, X Councilmanic District.

A copy of the Deed from which I got the information is attached.

#42

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

PINK - AGENCY

No. 10407

DATE	9/	_ ACCOUNT_		* /	~ } .**	English of
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YELLOW - CUSTOMER

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CASHIER'S VALIDATION

Aug. 08 2002 02:22PM Pi

RE Case No. 03-042 SPH

Pellioner/Developer: CARROLL

EATCLIFFE

Date of Hearing/Closing: 8/70/02

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

FAX-484-3819 C/O DAN-BURSI

From Four Pages # 60.

From From From Fact # 60.

Gentlemen:

Attention:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the properly located at #1000 WESTERN

The sign(s) were posted on PALIZ

(Month, Day, Year)

Sincerely,

Jahrell Olalas

PATRICK M. O'KEEFE

(Printed Name)
523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, Store, Zfp Code)

410-666-5366 CELL-410-905-8571

ACCOUNT OF THE PARTY OF THE PAR

CARROLL STREET BOND PONT PONT

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 03- 047 -SPH Address 1000 WESTERN RUH RD
Contact Person: C/0YD 7. MOXCEY Phone Number: 410-887-3391
Filing Date: 7/24/02 Posting Date: 3/5/02 Closing Date: 3/20/0
Any contact made with this office regarding the status of the administrative special hearing 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.
2. <u>DEADLINE:</u> 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.
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 SPECIAL HEARING SIGN FORMAT
Case Number 03- 047 -SPH Address 1000 WESTERH RUN RD
Petitioner's Name CHARLES CARROLL Telephone 410 = 825-811
Posting Date: <u>8/5/02</u> Closing Date: <u>8/20/02</u>
Wording for Sign: <u>Administrative Special Hearing to approve アAフモ , ALTER</u>
OR CONSTRUCT APPITION TO THE EXISTING
HISTORIC BUILDING

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

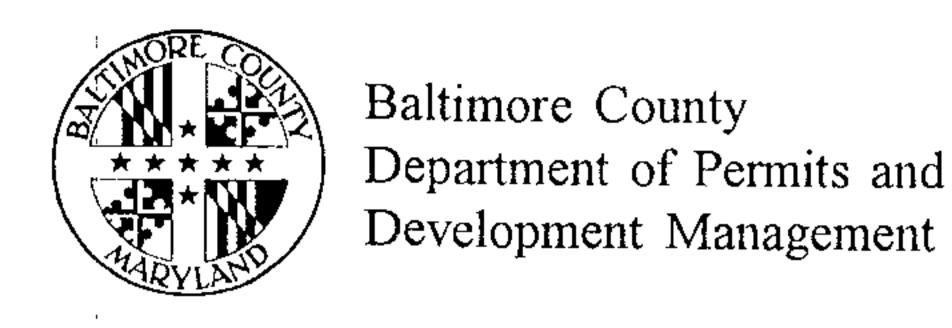
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: 03-042-5PH Petitioner: Charles R. Carroll
Address or Location: 1000 Western Run Road
PLEASE FORWARD ADVERTISING BILL TO:
Name: Peter W. Ratcliffe, P.A.
Address: 10404 Stevenson Rd.
Stevenson, MD 21153
Telephone Number: 410 - 484 - 7010

Revised 2/20/98 - SCJ



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

August 23, 2002

Mr. Charles R Carroll
1 Coniston Road
Towson MD 21204

Dear Mr. Carroll:

RE: Case Number: 03-042-SPH, 1000 Western Run Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 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. 602 て

W. Carl Richards, In.

Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Peter Ratcliffe, 10404 Stevenson Road, Stevenson 21153 People's Counsel7



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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

August 5,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

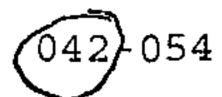
Location: DISTRIBUTION MEETING OF August 5, 2002

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:



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

FIIOME 001-4001, MO-TION

cc: File

Sparted AN 8/27/02 A/20

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 29, 2002

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 12, 2002 Item Nos. 042, 044, 045, 046, 049, 051,

052, 053, and 054

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

RWB:CEN:jrb

cc: File

Shouted 8/27/02

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

August 27, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of August 5, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

42)44,45,46,52,54



BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 21, 2002

Dept. of Permits & Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

No. 1000 Western Run Road

WF 2 2

INFORMATION

Item Number:

03-042-SPH

Petitioner:

John Ratcliffe, AIA

Zoning:

Residential RC-4

Requested Action:

Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

The structure at 1000 Western Run Road is a contributing structure in the Western Run Belfast National Register Historic District. The applicant proposes to retain the main block of the historic building, to demolish later historically-insignificant additions, and to construct a new addition. The Office of Planning does not oppose the rehabilitation project.

Prepared by:

Section Chief:

AFK:KA:kra



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary

Parker F. Williams
Administrator

Date: 8.7.02

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

RE:

Baltimore County

Item No. 042

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



Parris N. Glendening Governor Kathleen Kernedy Townsend Lt. Governor

Roy W. Kıenitz Secretary Mary Abrams Deputy Secretary

August 7, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
Room 111
111 West Chesapeake Avenue
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory-Committee Agenda, 8/12/02

Case numbers 03-042-SPH, 03-043-SPH, 03-044-A, 03-045-A, 03-046-A, 03-047-A, 03-048-A, 03-049-A, 03-050-SPHX, 03-051-A, 03-052-A, 03-053-SPH, & 03-054-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 8/6/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

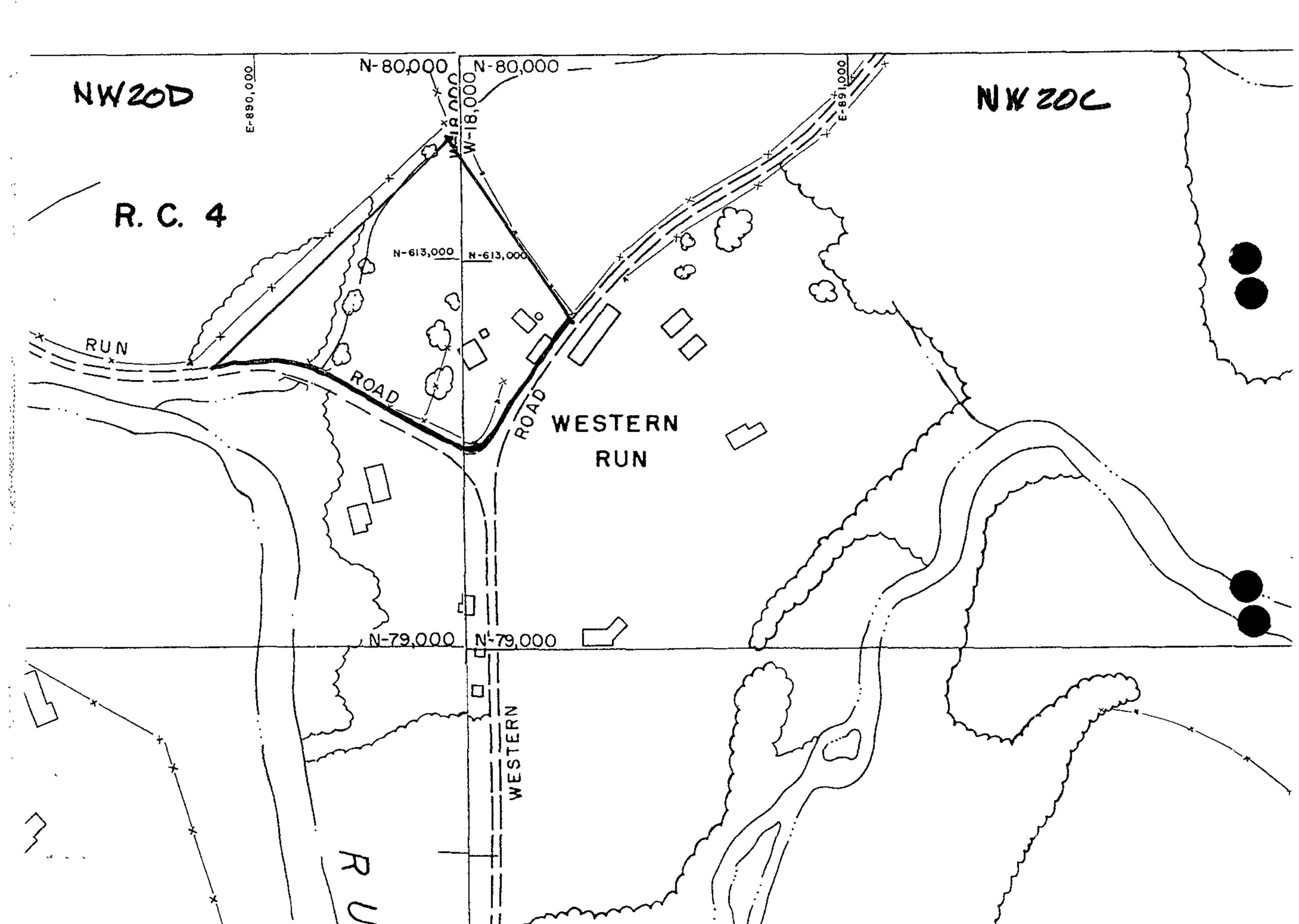
Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

15-



#42











