

IN RE: PETITION FOR ADMIN. VARIANCE
S/End of Topsfield Drive, 270' SW
of Deerpass Court
8th Election District
3rd Councilmanic District
(10596 Topsfield Drive)

Glenda A. & Graeme C. Lake
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-069-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, Glenda and Graeme Lake. The variance request is for property located at 10596 Topsfield Drive in the Cockeysville area of Baltimore County. The variance request is from Section 504.2 (CMDP) and Section 1B01.2.C.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 22 ft. in lieu of the required 25 ft. for an addition. 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.

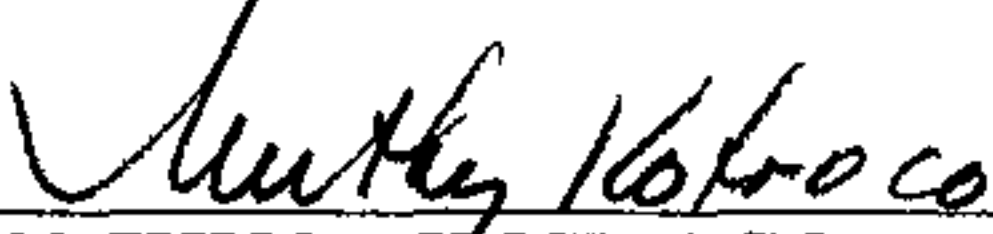
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 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.

9/16/02
R. J. Emerson

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 16th day of September, 2002, that a variance from Section 504.2 (CMDP) and Section 1B01.2.C.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 22 ft. in lieu of the required 25 ft. for an addition, 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 RECORDED FOR FILING
DATE 9/16/02
BY [Signature]



Baltimore County
Zoning Commissioner

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

September 16, 2002

Mr. & Mrs. Graeme C. Lake
10596 Topsfield Drive
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 03-069-A
Property: 10596 Topsfield Drive

Dear Mr. & Mrs. Lake:

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 black ink, reading "Timothy M. Kotroco". The signature is written in a cursive style with a large, stylized "T" and "K".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



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 10596 Topsfield Drive
Address
Cockeysville MD 21030
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):

Request a variance to reduce the rear BRL to 22 ft from the 25 ft BRL for a very small section of the rear of the property. (See Plat)
Request based on the irregular shape of the lot and the way the house was constructed on the lot. The request is to permit the construction of a room to serve as an eat in kitchen and thus needs to be adjacent to the existing kitchen.

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]
Signature
Graeme C Lake
Name - Type or Print

[Signature]
Signature
Glenda A Lake
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of AUGUST, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

GRAEME C. AND GLENDA A. LAKE
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires _____

REV 10/25/01

Scott Moacham, Notary Public
Baltimore County
State of Maryland
My Commission Expires May 13, 2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10596 Topsfield Drive
which is presently zoned DR 3.5

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) 504.2.(C)(1)(b) & 1 B01.2c1b
to permit a Rear Yard Setback of 22 FT in lieu of the Required
25 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 _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Graeme C Lake
Name - Type or Print _____

[Signature]
Signature _____

Glenda A Lake
Name - Type or Print _____

[Signature]
Signature _____

10596 Topsfield Drive
Address _____ Telephone No. _____

Cockeysville MD 21030
City _____ State _____ Zip Code _____

Representative to be Contacted:

Graeme Lake
Name _____

10596 Topsfield Drive 410 666 8747
Address _____ Telephone No. _____

Cockeysville MD 21030
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. 03-069-A

Reviewed By [Signature] Date 08-07-07

Estimated Posting Date 08-19-07

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 10435

DATE 08-07-02 ACCOUNT 2001 006 GLO

AMOUNT \$ 100.00

RECEIVED
FROM:

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
PAID RECEIPT

BUSINESS ACTUAL TIME

8/09/2002 8/07/2002 15:56:20

REG 4504 WALKIN DOOL DMD DRIVER 2

RECEIPT # 191243 8/07/2002 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 016435

Recpt Tot \$100.00

100.00 CR .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

03069.A

03.069.A

ZONING DESCRIPTION

**ZONING DESCRIPTION FOR 10596 TOPSFIELD DRIVE
COCKEYSVILLE, MD 21030**

Beginning at a point on the South side of Topsfield Drive which is Fifty feet wide at a distance of 258 feet South of the centerline of the nearest improved intersecting street, Deerpass Court which is Fifty feet wide.

Being Lot No 25 in the subdivision of Warren Manor as recorded in Baltimore County Plat Book No 58, Folio No 2, containing 6116 square feet.

Also known as 10596 Topsfield Drive, Cockeysville, Maryland 21030 and located in the 8th Election District, 3rd Councilmanic District.

CERTIFICATE OF POSTING

RE: Case No.: 03-069-A

Petitioner/Developer: _____

G. LAKE

Date of Hearing/Closing: 9/3/02

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

Attention: MR. GEORGE SAHNER
~~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 _____

10596 TOPSFIELD DR.

The sign(s) were posted on _____

8/19/02
(Month, Day, Year)

Sincerely,

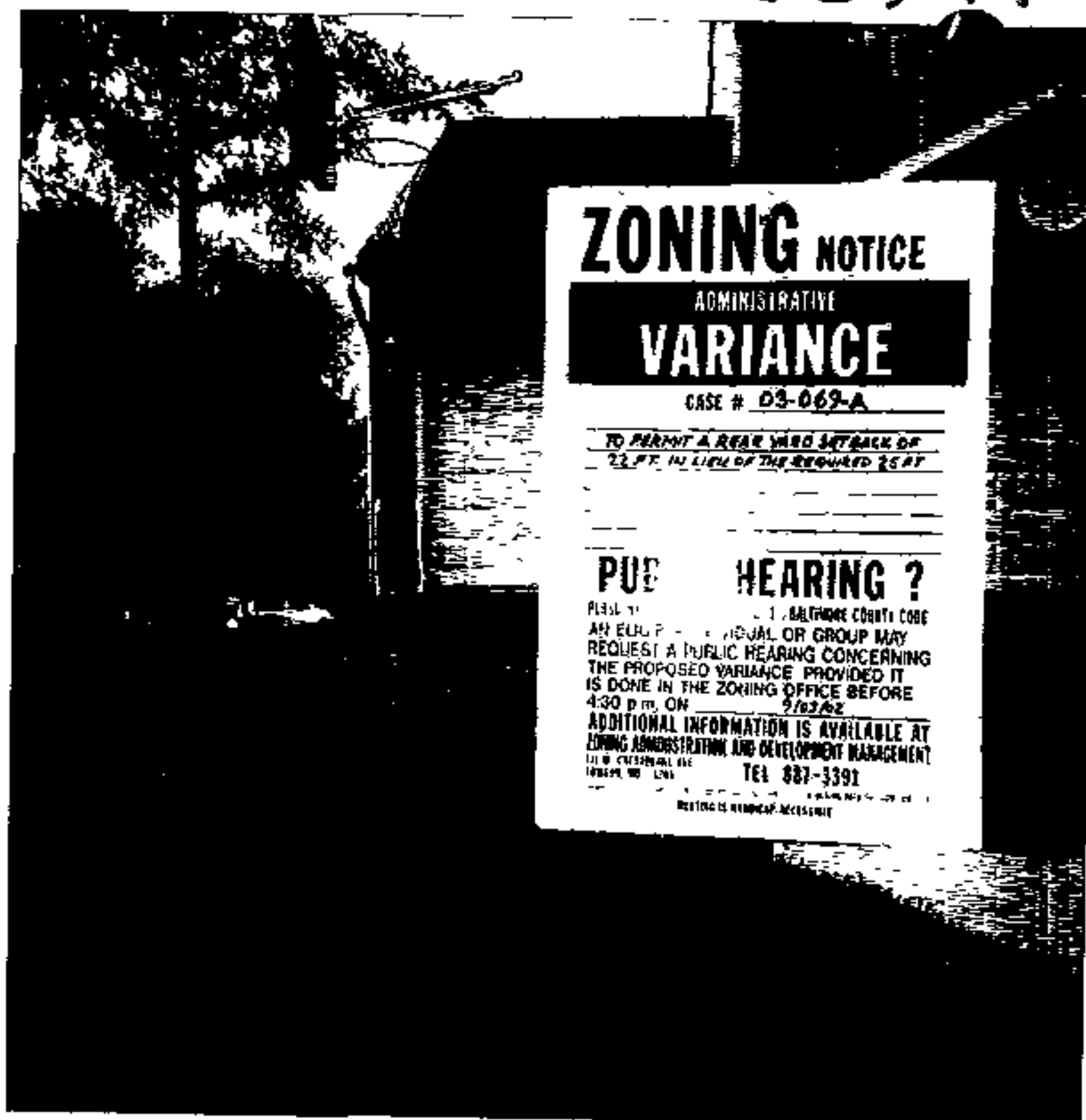
Richard E. Hoffman 8/19/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

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

(410) 879-3122
(Telephone Number)



10596 TOPSFIELD DR.

POSTED 8/19/02

Richard E. Hoffman 8/19/02

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 069 -A Address 10596 TOPSFIELD DR

Contact Person: JOAN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 08-07-07 Posting Date: 8-19 Closing Date: 9-3

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 03- 069 -A Address 10596 TOPSFIELD DR

Petitioner's Name GILBERT C. LAKE Telephone 410-666-8747

Posting Date: 08-19 Closing Date: 09-03

Wording for Sign: To Permit A REAR YARD SETBACK OF 22 FT IN
VIEW OF THE REQUIRED 25 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

September 3, 2002

Graeme and Glenda A. Lake
10596 Topsfield Drive
Cockeysville MD 21030

Dear Graeme and Glenda:

RE: Case Number: 03-069-A, 10596 Topsfield Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 7, 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. G02
Supervisor, Zoning Review

WCR:

Enclosures

c: People's Counsel

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: October 8, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For August 26, 2002
Item Nos. 068, 069, 070, 071, 072, 073,
074, 076, 077, and 080

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

RWB:CEN:jrb

cc: File

AV
9/3



Baltimore County BALTIMORE COUNTY, MARYLAND
Department of Environmental Protection and Resource Management
401 Bussey Avenue, Suite 416
Towson, Maryland 21204

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS/TBT*

DATE: September 11, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of August 19, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

69, 71, 73, 74, 76, 77

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 21, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-069

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: Jeffrey W. Long
AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 9.6.02

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

RE: Baltimore County
Item No. 069

J R A

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



Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary

Mary Abrams
Deputy Secretary

August 23, 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, 8/26/02 re: Case numbers 03-068-SPHXA, 03-069-A, 03-070-SPHX, 03-071-A, 03-072-SPH, 03-073-SPH, 03-074-A, 03-075-A, 03-076-A, 03-077-A, 03-078-A, 03-079-A, 03-080-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 8/22/02. 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

TO: , PDM, MAIL STOP-1105

June 7, 2002

FROM: LIEUTENANT JIMMIE MEZICK
BALTIMORE COUNTY FIRE MARSHAL OFFICE
MAIL STOP-1102F, PHONE (410) 887-4881

SUBJECT: SUBDIVISION REVIEW COMMENTS

PROJECT NAME: Graeme and Glenda Lake

PROJECT NUMBER: 03-69A

LOCATION: 10596 Topsfield Dr.

DISTRICT: 8th

COMMENTS:

7. The Fire Marshal's Office has no comments at this time.

10599 Topsfield Drive
Cockeysville , MD 21030

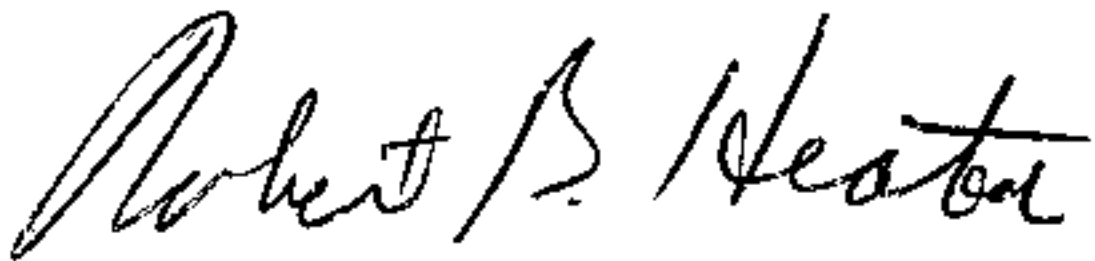
August 6, 2002

To Whom It May Concern,

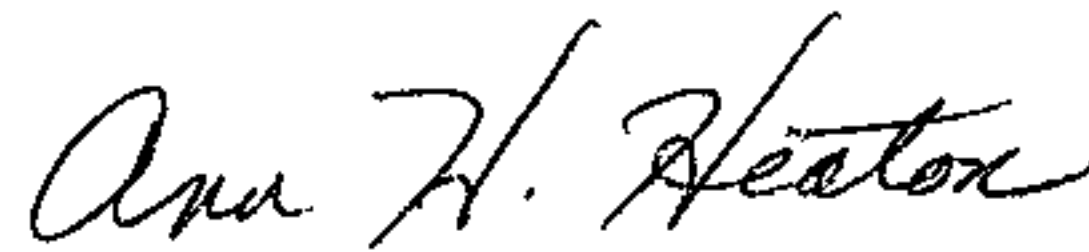
We have reviewed the plans for the proposed extention at 10596 Topsfield Drive. We were advised that the proposed extention would extend over the building restriction line by 3 feet.

This letter confirms that we have no objection to the plans being approved by Baltimore County.

Sincerely,



Robert and Ann Heaton



03.069.17

03-069.A-

10594 Topsfield Drive
Cockeysville , MD 21030

August 6, 2002

To Whom It May Concern,

We have reviewed the plans for the proposed extention at 10596 Topsfield Drive. We were advised that the proposed extention would extend over the building restriction line by 3 feet.

This letter confirms that we have no objection to the plans being approved by Baltimore County.

Sincerely,

A handwritten signature in cursive script that reads "Joan Koenig". The signature is written in dark ink and is positioned above the printed name.

Henry and Joan Koenig

10602 Topsfield Drive
Cockeysville , MD 21030

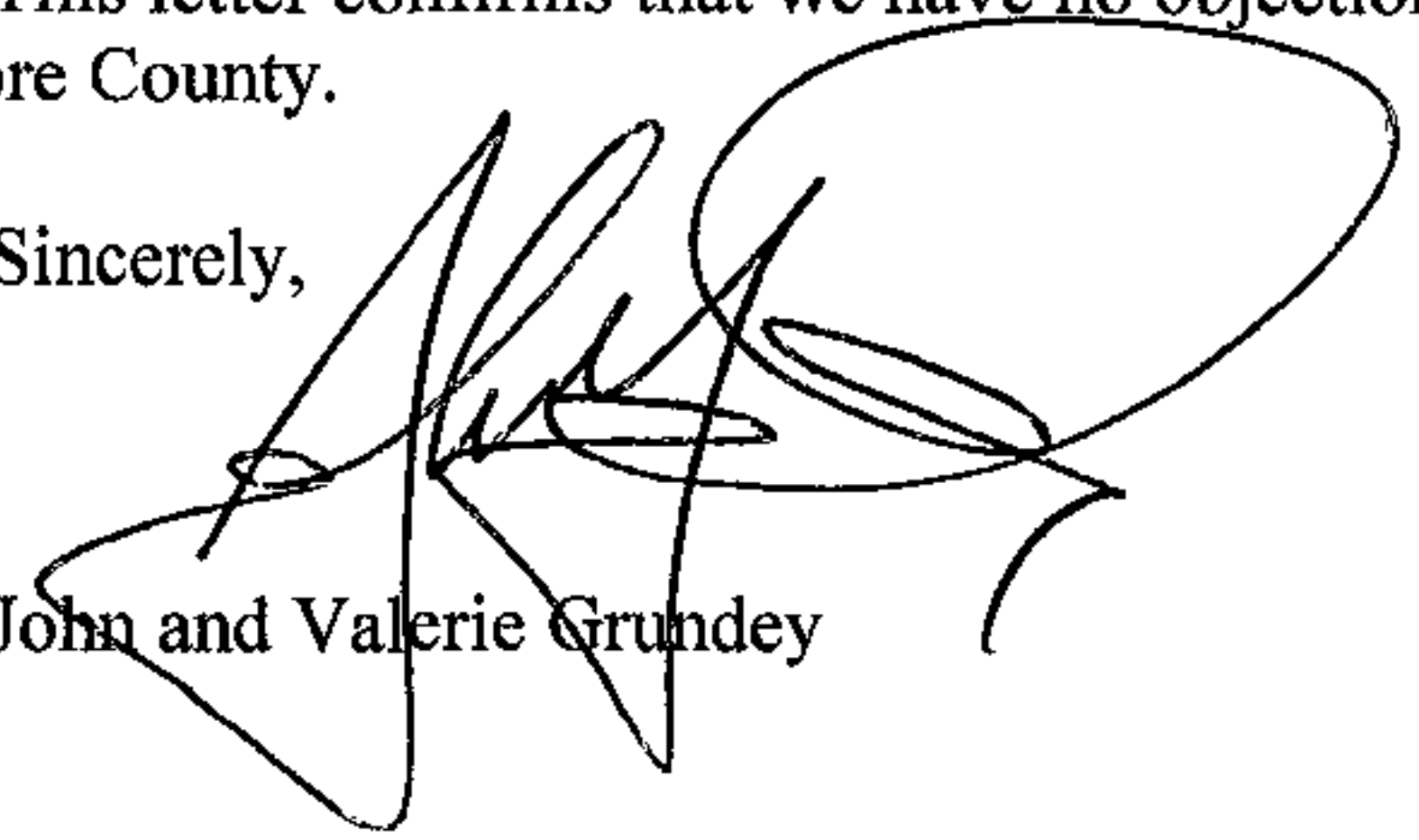
August 6, 2002

To Whom It May Concern,

We have reviewed the plans for the proposed extention at 10596 Topsfield Drive. We were advised that the proposed extention would extend over the building restriction line by 3 feet.

This letter confirms that we have no objection to the plans being approved by Baltimore County.

Sincerely,


John and Valerie Grundey

03-069-A

10598 Topsfield Drive
Cockeysville , MD 21030

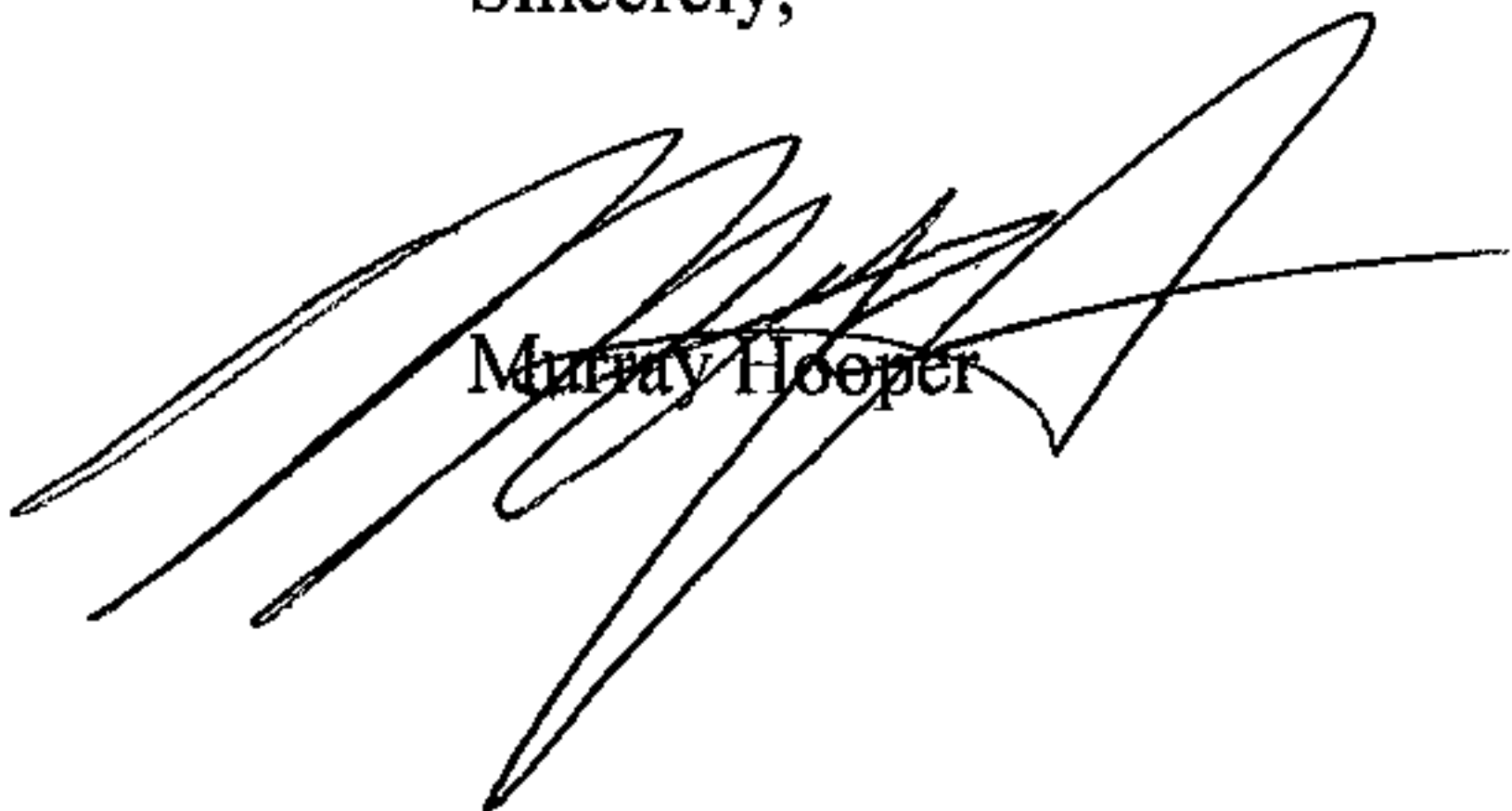
August 6, 2002

To Whom It May Concern,

We have reviewed the plans for the proposed extention at 10596 Topsfield Drive. We were advised that the proposed extention would extend over the building restriction line by 3 feet.

This letter confirms that we have no objection to the plans being approved by Baltimore County.

Sincerely,



Murray Hooper

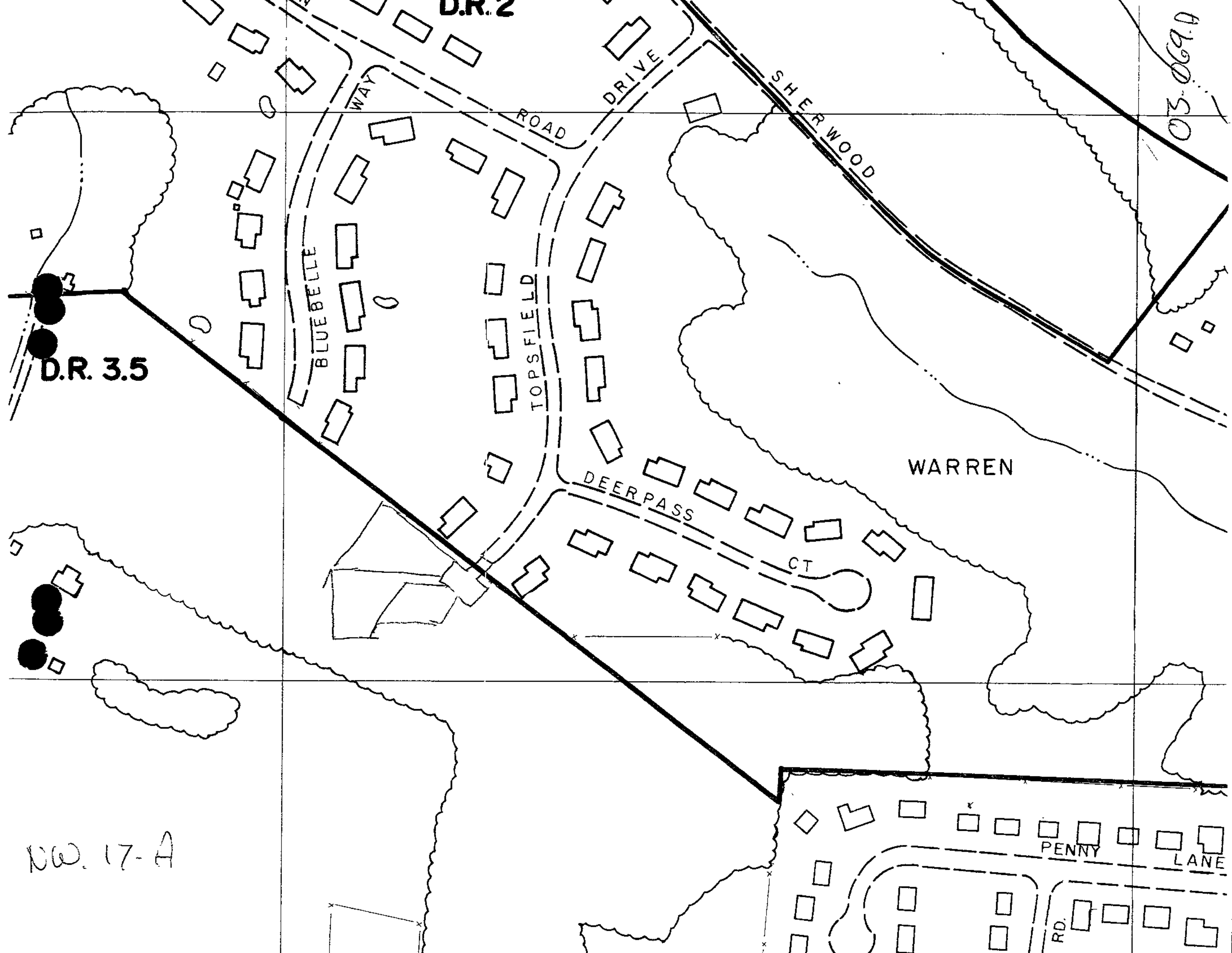
03.069.A

D.R. 2

03-0690

D.R. 3.5

NW. 17-A



620.20

CONFIDENTIAL

10603

30. UTILITY ACCESS
MAINT. ESM T.
RODERICK &
SP

RODERICK 4G
GRACE BUNYEA
4983/399

NO DRAINAGE AND UTILITY EASEMENT

GLASS & VIOLET
8 AVE.
4371/208

#10602

23

6-26-38



130



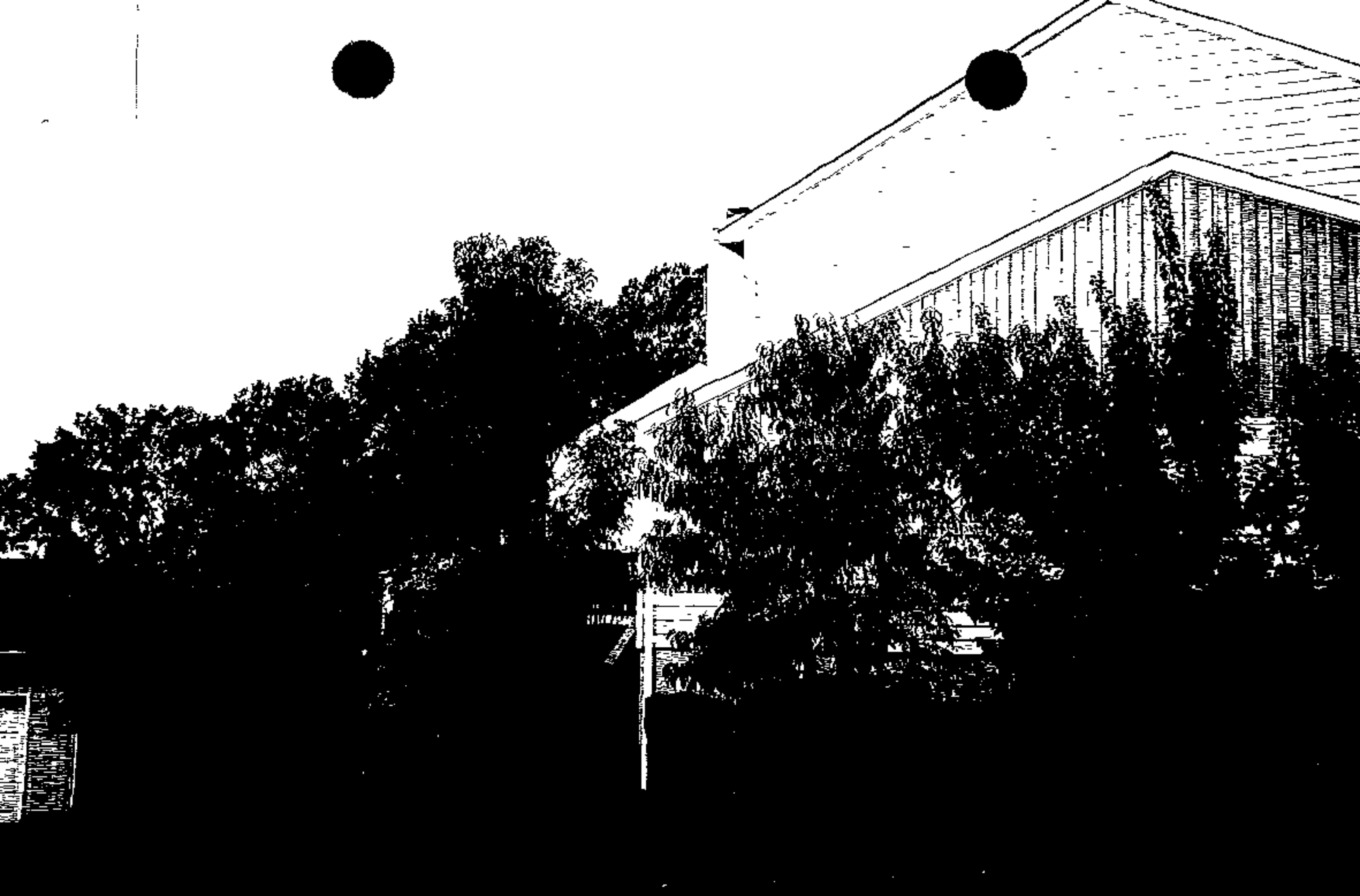


View looking south
at front of house.

Lot : 25

Warner Manor.

OS-069.A

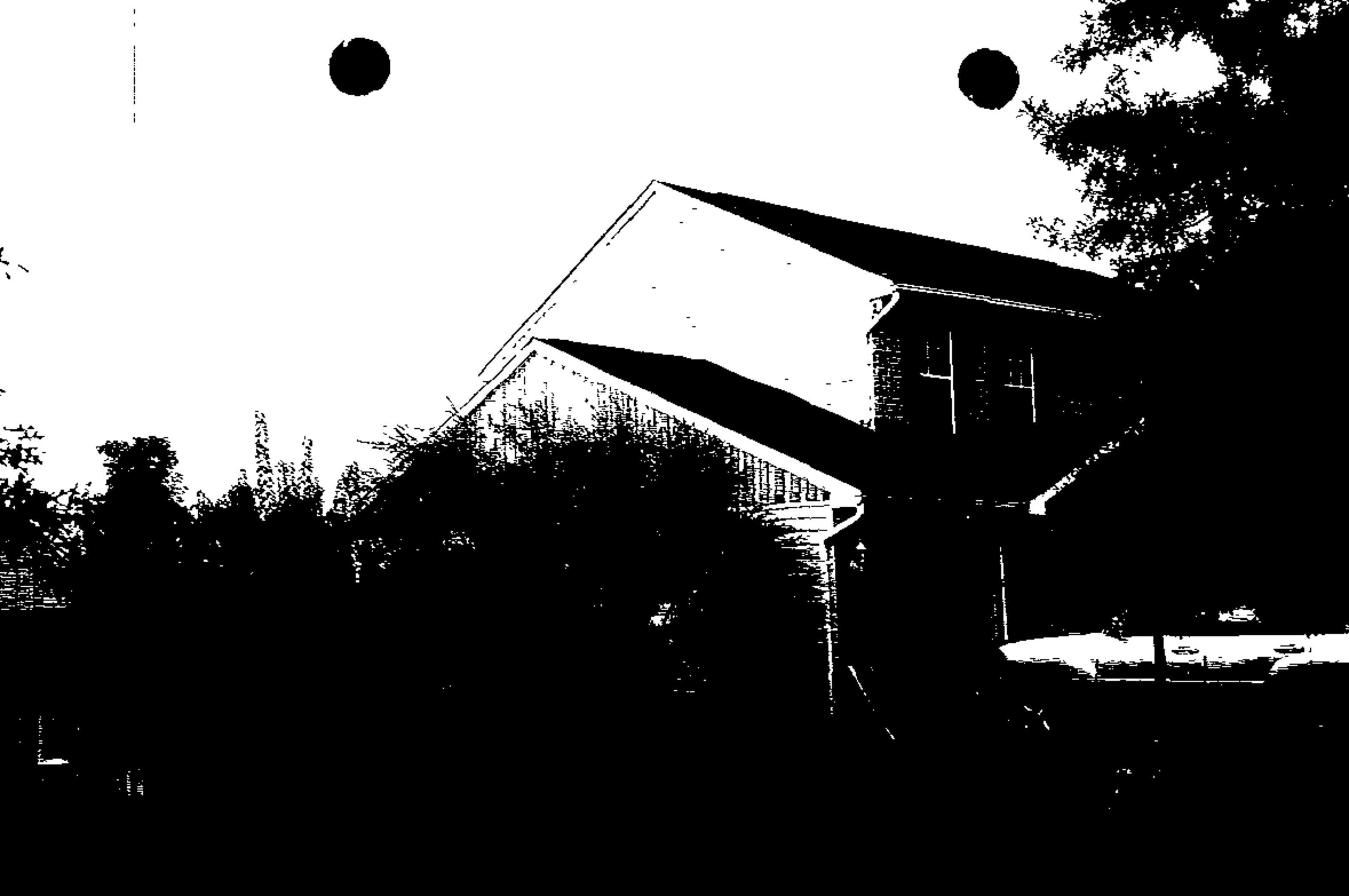


Look SE at side of
house. Close view
of area where extension
will be located.

Note: Extension will mostly be
hidden from view.

Lot 25
Waver man.

03-069. A



View look SE at side of
house.

Lot 25
Warner manor

33-069 D



Use looking east.
Showing area of extension.

Lot 25

Warren Manor.

03-069 A.



View looking east.

Close up view of
area where extension
will be located.

Lower manor.

Lot 25.

03.069 A

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

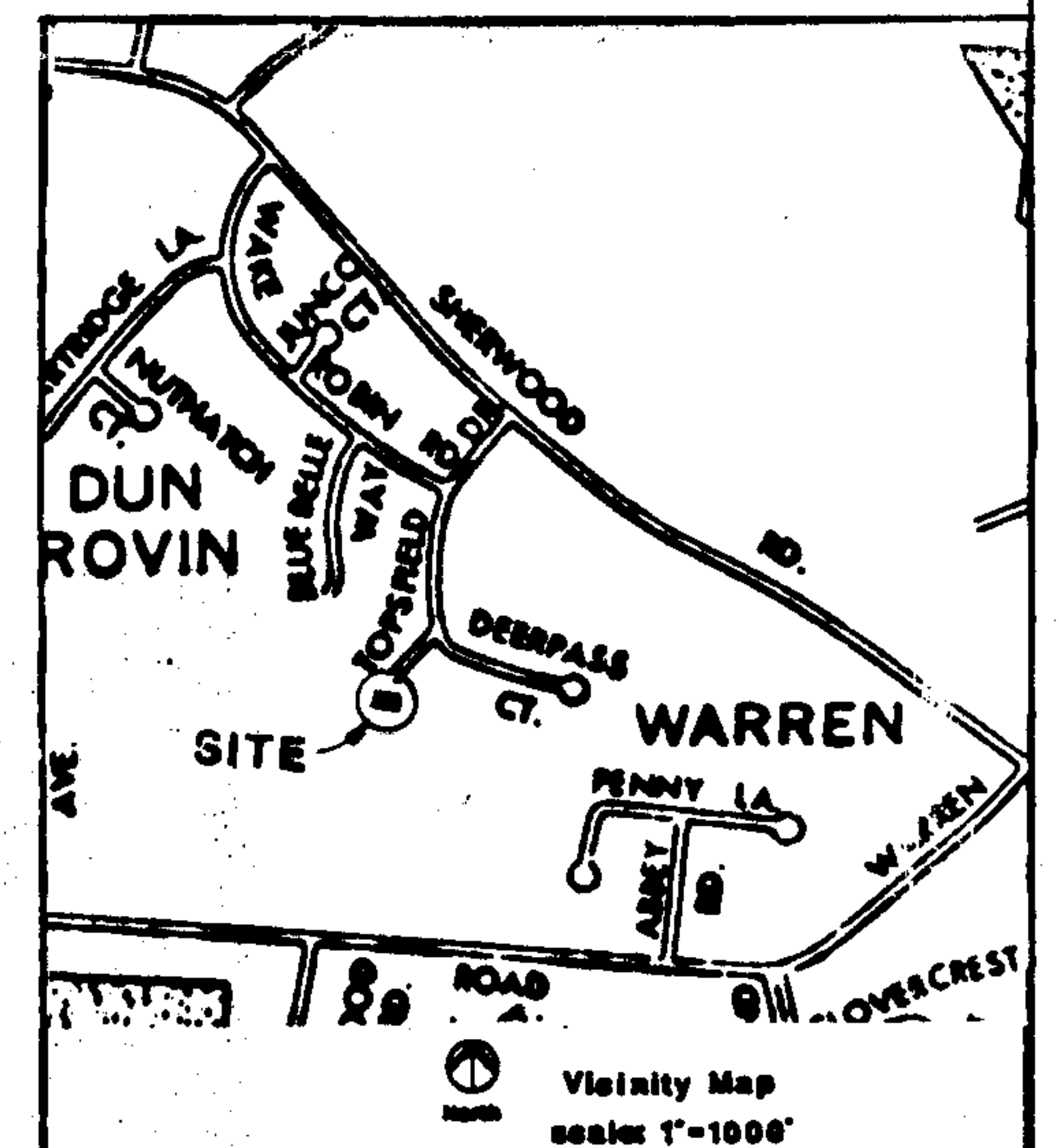
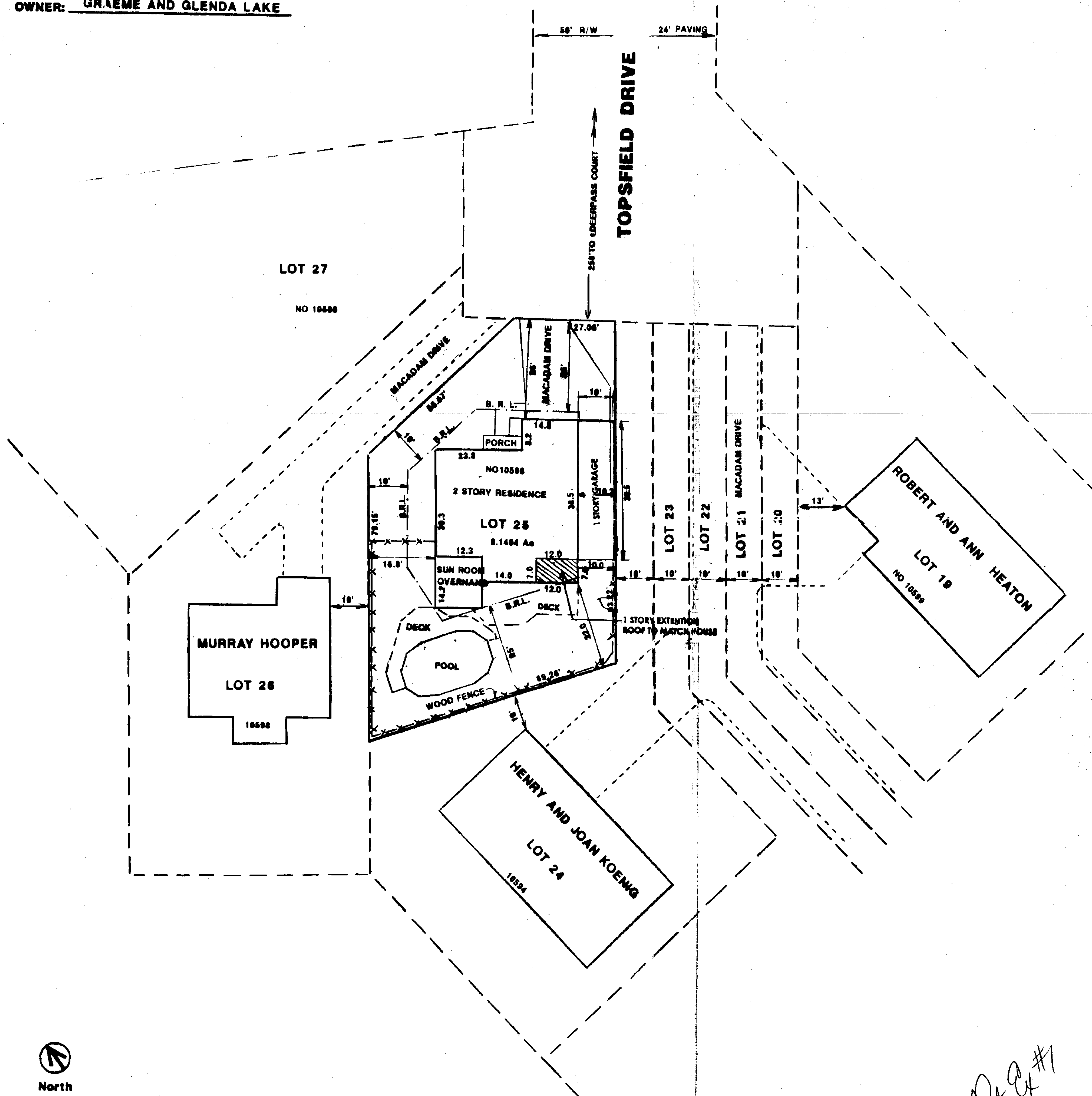
PROPERTY ADDRESS: 10596 TOPSFIELD DRIVE

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

Subdivision name: **WARREN MANOR**

plat book # 58, folio # 2, lot # 25, section #

OWNER: **GRAEME AND GLENDA LAKE**



LOCATION INFORMATION

Election District: 8th

Councilmanic Districts: 3

1"-200' scale map: NW 17. A

Zoning: DR 3.5

Lot size: 1484 6116
acres square feet

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

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NO

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

5007 03-069.7

Plat 24 #1



North

date: **AUG. 6, 2002**

prepared by: **G. LAKE**

Scale of Drawing: 1" = 20'