IN RE: PETITION FOR ADMIN. VARIANCE N/S of Ivy Reach Court, 1600' W centerline of Happy Hollow Road 8th Election District 3rd Councilmanic District (26 Ivy Reach Court) Susan K. & Michael Alderman *Petitioners*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-171-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, Susan K. and Michael Alderman. The variance request is for property located at 26 Ivy Reach Court in the Cockeysville area of Baltimore County. The Petitioners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (pool house) to have a height of 20 ft. in lieu of the required 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

12/30/02

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 30th day of October, 2002, that a variance from Section 400.3 of the B.C.Z.R., to permit a detached accessory structure (pool house) to have a height of 20 ft. in lieu of the required 15 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 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 Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

PLEASE PROCESS THIS FILING
DATE 10-30-02
BY R. Jamison

Baltimore County
Zoning Commissioner

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

October 30, 2002

Mr. & Mrs. Michael Alderman
26 Ivy Reach Court
Cockeysville, Maryland 21030-1755

Re: Petition for Administrative Variance
Case No. 03-171-A
Property: 26 Ivy Reach Court

Dear Mr. & Mrs. Alderman:

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,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

P.S. when's the pool party?

c: Chuck Merritt
1045 Taylor Avenue, Suite 111
Baltimore, MD 21286

Printed with Soybean Ink
on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 26 Ivy Reach Court

which is presently zoned RC - 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) 400.3, To permit a detached accessory structure of 20 ft. in lieu of the required 15 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):

Michael Alderman
Name - Type or Print

Signature

SUSAN K. ALDERMAN
Name - Type or Print

Susan K. Alderman
Signature

26 Ivy Reach Court — 410 241-6664
Address — Telephone No.

Cockeysville — MD — 21030-1755
City — State — Zip Code

Representative to be Contacted:

Chuck Merritt
Name

1045 Taylor Avenue, Suite 111 — 410-296-1636
Address — Telephone No.

Towson — MD — 21286
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. 03-171-A

Reviewed By JJD **Date** 10-04-02

Estimated Posting Date 10-14-02

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 10/30/02
By

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 26 Ivy Reach Court
Address

Cockeysville MD 21030-1755
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):

Without a variance I cannot construct the proposed poolhouse that is in proper proportion to my existing house.

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

Michael Alderman
Name - Type or Print

Susan K. Alderman
Signature

SUSAN K. ALDERMAN
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of OCT / 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared MICHAEL ALDERMAN the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

3/OCT/02
Date

Robin J. Davis
Notary Public

My Commission Expires 5-1-2004

ROBIN J. DAVIS NOTARY PUBLIC BALTIMORE COUNTY, MD.
My Comm. Exps. 5-1-2004

REV 09/15/98

03-171-A

03-171-A

Zoning Description

ZONING DESCRIPTION FOR #26 Ivy Reach Court

Beginning at a point on the north side of

Ivy Reach Court which is 40 feet

wide at the distance of 1600 feet west of the

centerline of the nearest improved intersecting street Happy Hollow Road

which is 50 feet wide. *Being Lot # 2,

in the subdivision of Curran Property

as recorded in Baltimore County Plat Book # 71, Folio # 82,

containing 87.120 s.f. or 2.011 AC. Also known as #26 Ivy Reach Court

and located in the 8th Election District, 3rd Councilmanic District.

03-171-A

Adm - Aldermar.
03-171 A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 17836

DATE [illegible] ACCOUNT [illegible]

AMOUNT $ [illegible]

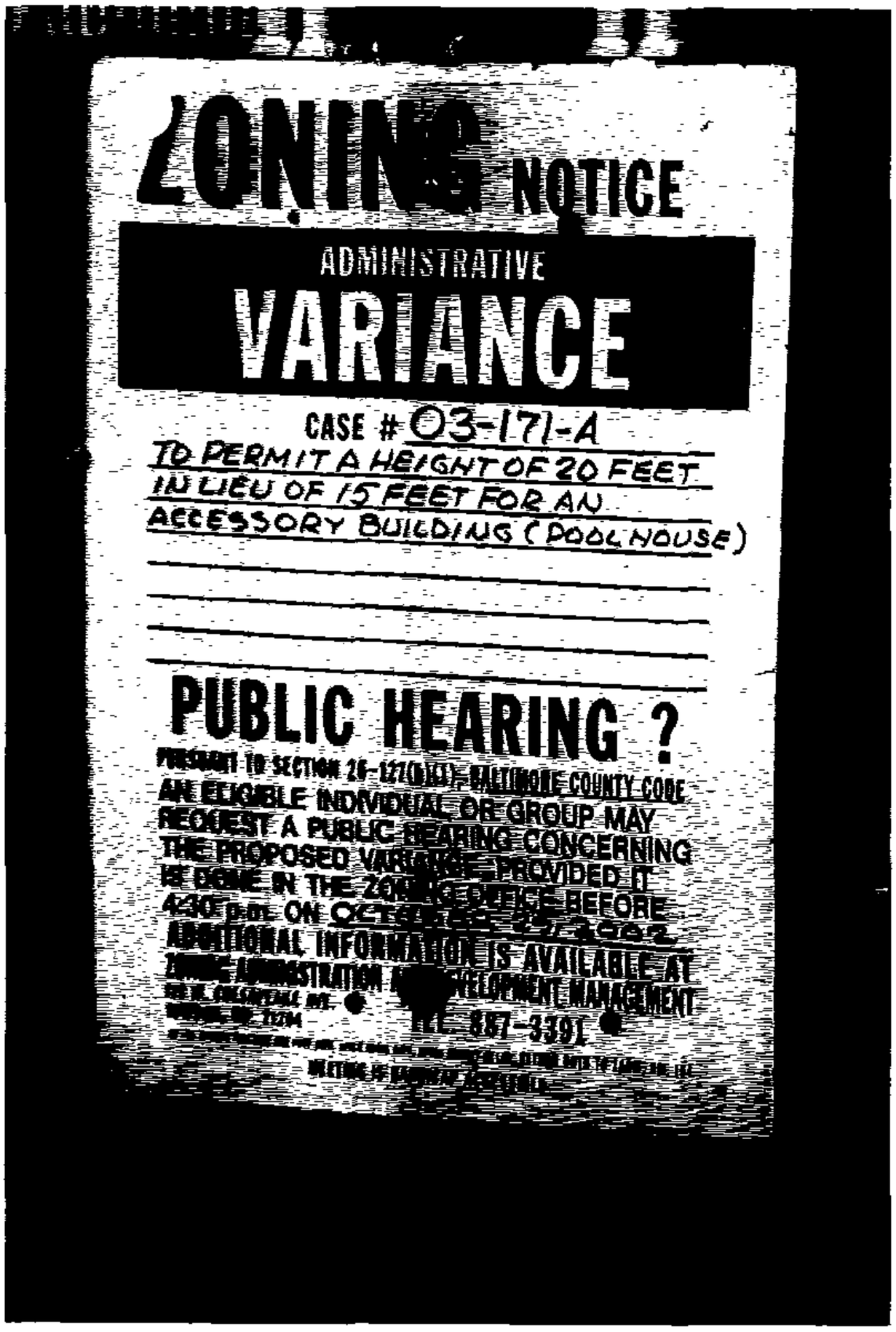
RECEIVED FROM: [illegible]

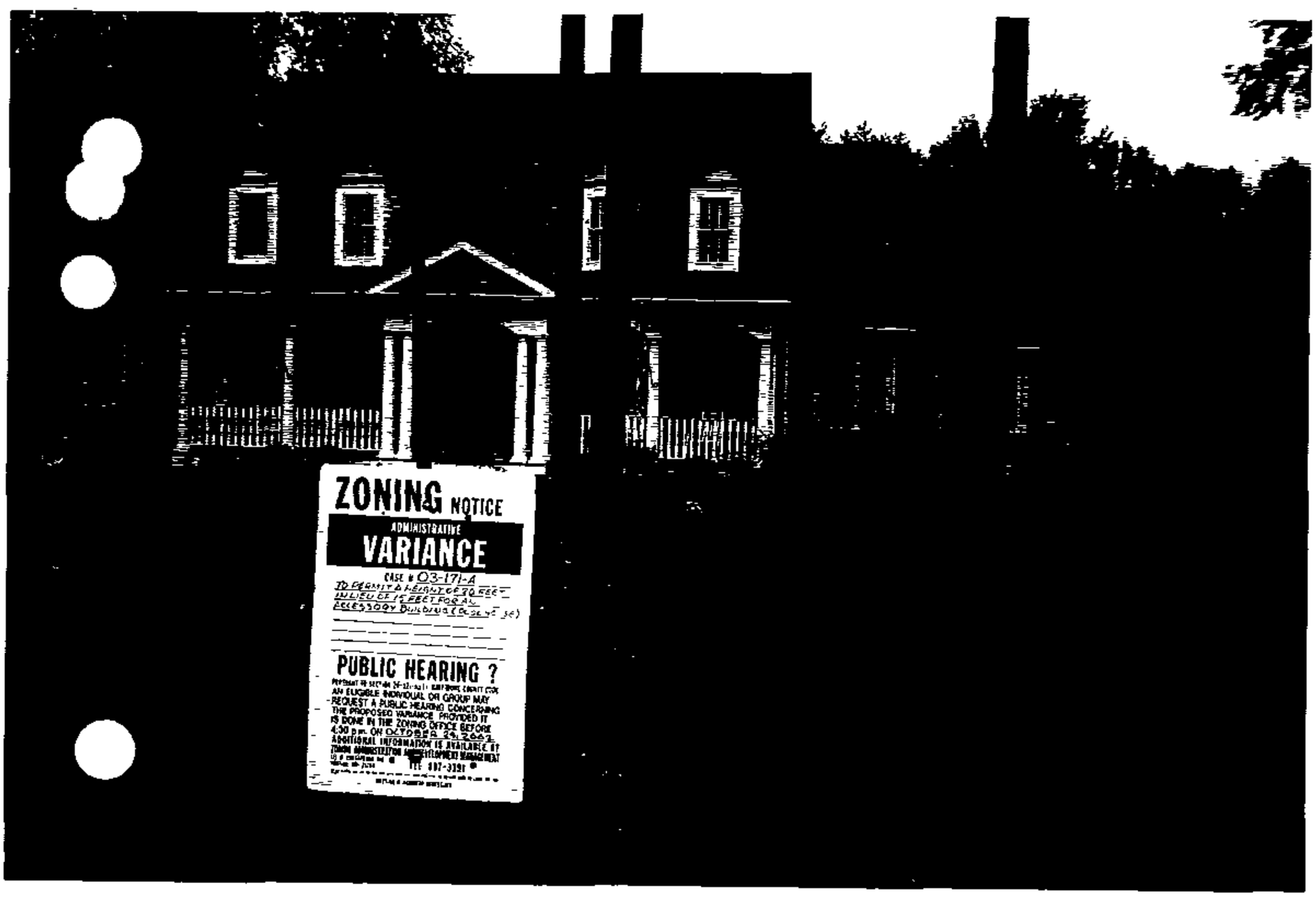
FOR: [illegible]

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
10/07/2002 10/04/2002 14:57:56
REG USR MAIL JENJEE JENJEE
RECEIPT # 23851 10/04/2002 UNK
Dept 5 538 ZONING VERIFICATION
CR NO. 017836
Recpt Tot $50.00
50.00 CK .00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION


ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 03-171-A
TO PERMIT A HEIGHT OF 20 FEET
IN LIEU OF 15 FEET FOR AN
ACCESSORY BUILDING (POOL HOUSE)
PUBLIC HEARING ?
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE PROVIDED IT
4:30 p.m. ON
ADDITIONAL INFORMATION IS AVAILABLE AT
887-3391


ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 03-171-A
PUBLIC HEARING ?
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON
ADDITIONAL INFORMATION IS AVAILABLE AT

CERTIFICATE OF POSTING

RE: Case No.: 03-171-A

Petitioner/Developer:

MICHAEL ALDERMAN

Date of Hearing/Closing: OCT. 29, 2002

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

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

#26 IVY REACH COURT

The sign(s) were posted on OCT. 11, 2002
(Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

RECEIVED
OCT 15 2002
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 171 -A Address 26 Ivy Reach Court

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

Filing Date: 10-04-02 **Posting Date:** 10-14-02 **Closing Date:** 10-29-02

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 03- 171 -A Address 26 Ivy Reach Court

Petitioner's Name Michael & Susan Alderman Telephone 410-241-6664

Posting Date: 10-14-02 **Closing Date:** 10-29-02

Wording for Sign: *To Permit* a Pool House to be 20 Ft Height in lieu of 15 Ft.

WCR - Revised 6/28/00

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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: 03-171-A

Petitioner: Michael Alderman

Address or Location: 26 Ivy Reach Court

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Alderman

Address: 26 Ivy Reach Court, Cockeysville, MD 21030-1755

Telephone Number: 410-241-6664

Revised 2/20/98 - SCJ

03-171-A

Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

October 28, 2002

Michael Alderman
Susan Alderman
26 Ivy Reach Court
Cockeysville, MD 21030

Dear Mr. and Mrs. Alderman:

RE: Case Number: 03-171-A, 26 Ivy Reach Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 4, 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:rlh

Enclosures

c: People's Counsel
Chuck Merritt, 1045 Taylor Avenue, Suite 111, Towson 21286

Printed with Soybean Ink
on Recycled Paper

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

October 22, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 171-179, 181

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 14, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For October 28, 2002
Item Nos. 171, 173, 174, 175, 176, 177,
180, and 181

and

Item No. marked: "Use Permit Posting"
(111 Hanover Pike)

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS/TGT

DATE: November 6, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 15, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

171

160, 162-165, 167-172

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS/TGT

DATE: November 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 21, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

171, 174, 175, 176, 178, 179, 180

AV
10/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 21, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-171, 03-175, & 03-181**

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: Lynn Lanham

AFK/LL:MAC

23

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.22.02

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

RE: Baltimore County
Item No. 171 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,

for 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

Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

Maryland Department of Planning

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

October 22, 2002

Mr. George Zahner
111 West Chesapeake Avenue
County Office Building, Room 111
Mail Stop # 1105
Towson MD 21204

Re: **Zoning Advisory Committee Agenda, October 28, 2002**
Case numbers 03-171-A, 03-173-SPH, 03-174-SPHA, 03-175-A, 03-176-A, 03-177-A, 03-178-A, 03-179-SPH, 03-180-SPHA, 03-181-SPH, and 111 Hanover Pike Property

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 10/21/02. 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,

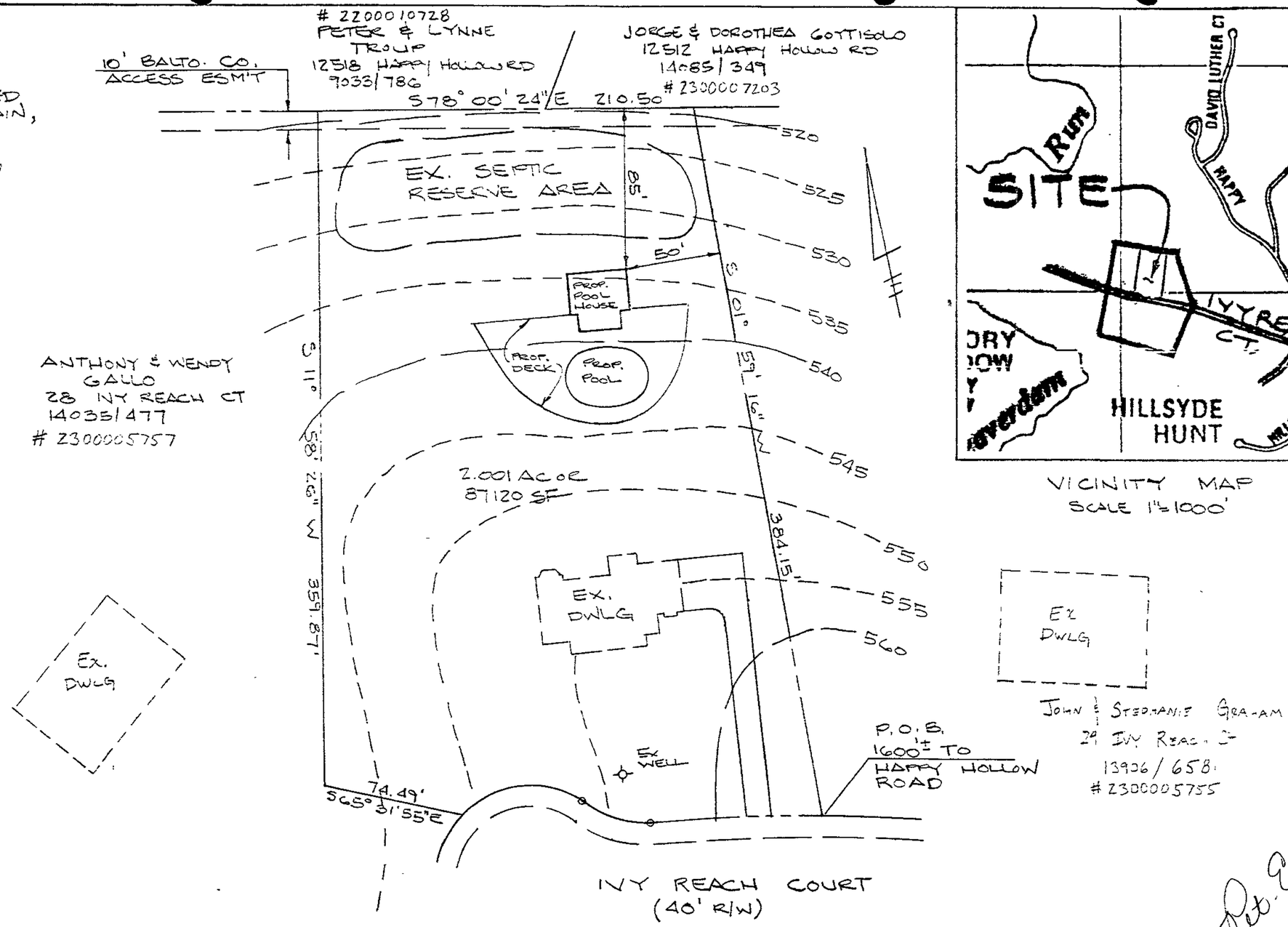
James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

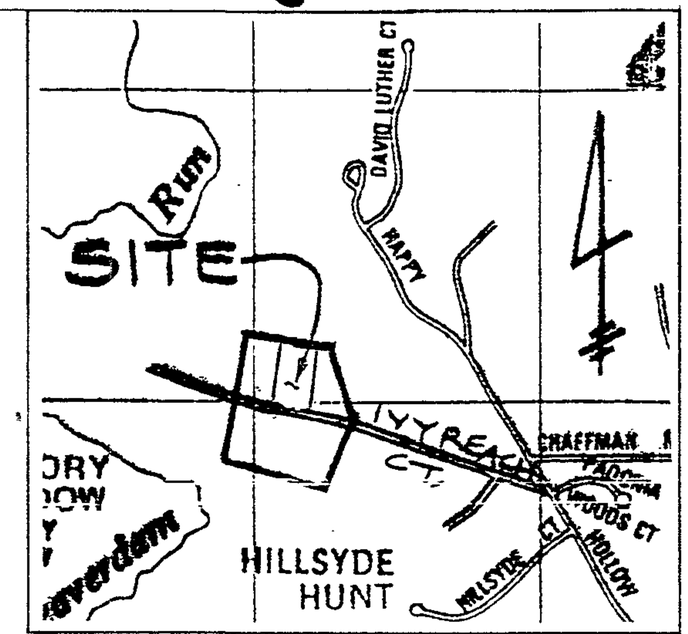
cc: Mike Nortrup

RECEIVED
OCT 24 2002
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

NOTES:

1. THIS SITE HAS NO PRIOR ZONING HISTORY
2. THIS SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN, OR CHESAPEAKE BAY CRITICAL AREA.
3. 200 FT ZONING MAP NW. 16-D
4. WELL & SEPTIC
5. ZONING OF SITE IS RC-5





VICINITY MAP
SCALE 1"=1000'

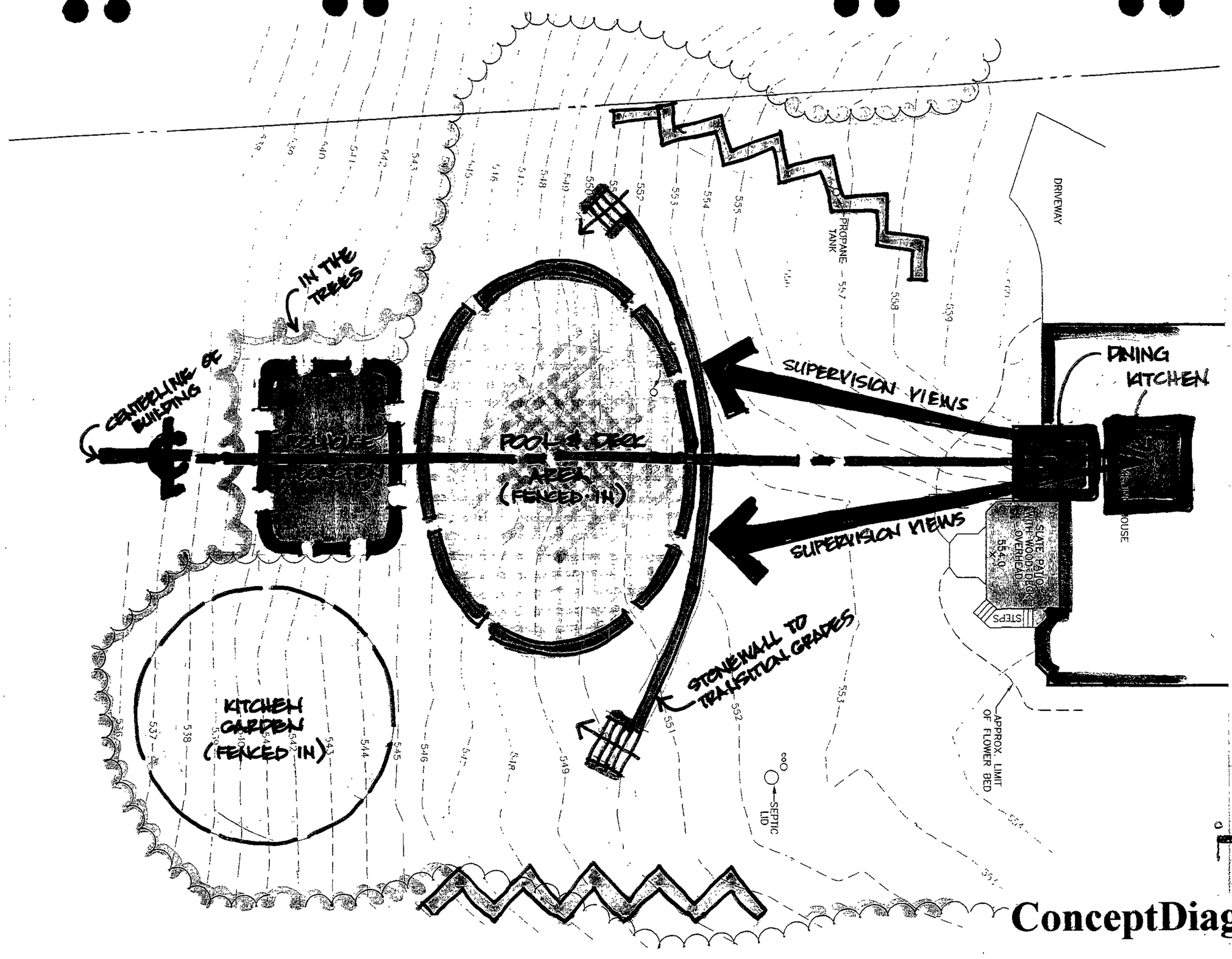
Pet. Ex. #1

LITTLE & ASSOCIATES, INC.
ENGINEERS—LAND PLANNERS—SURVEYORS
1045 TAYLOR AVENUE, SUITE 111
TOWSON, MARYLAND 21286
PHONE: (410) 296-1636 FAX: (410) 296-1639

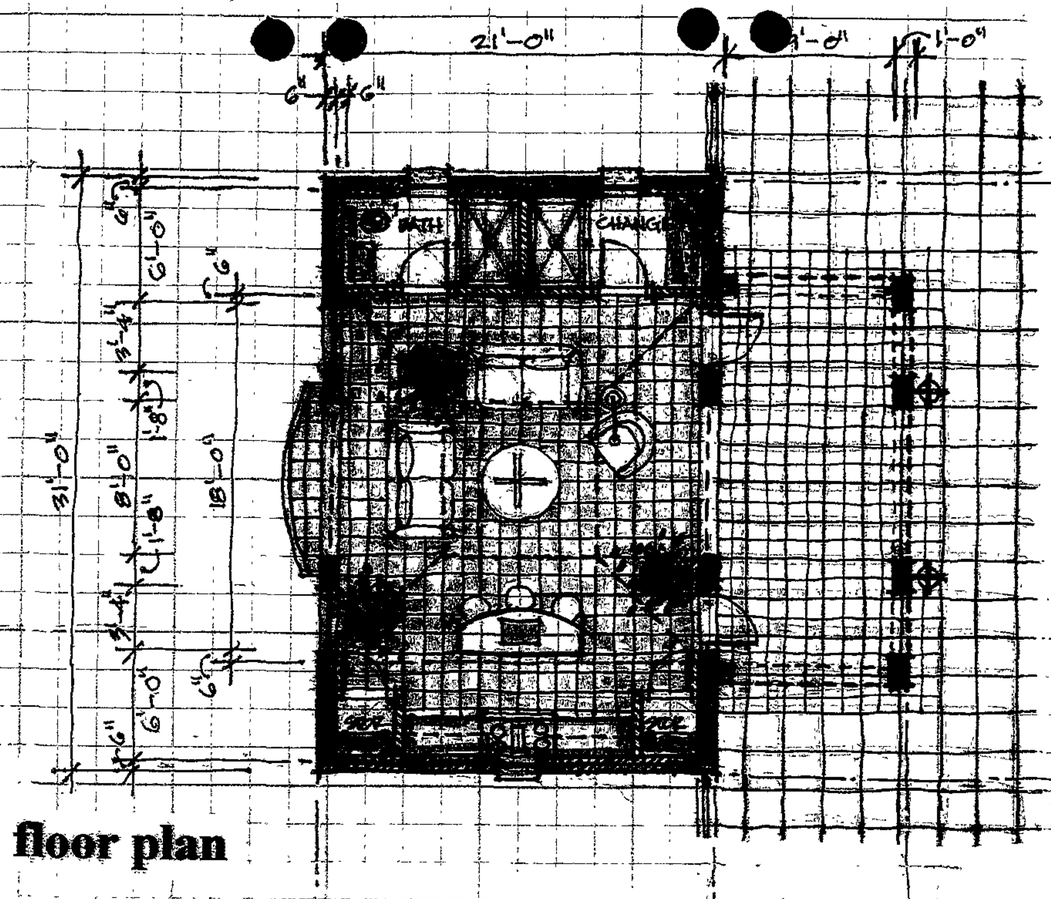
MICHAEL & SUSAN ALDERMAN
26 IVY REACH COURT
COCKEYSVILLE MD 21030
TAX ACCT NO. 23-00005756
DEED 13700/101

PLAN TO ACCOMPANY
ADMINISTRATIVE VARIANCE
26 IVY REACH COURT
8th ELECT DIST BALTO. CO MD.
3RD COUNCILMANIC DIST 9/30/02
SCALE 1"=60'

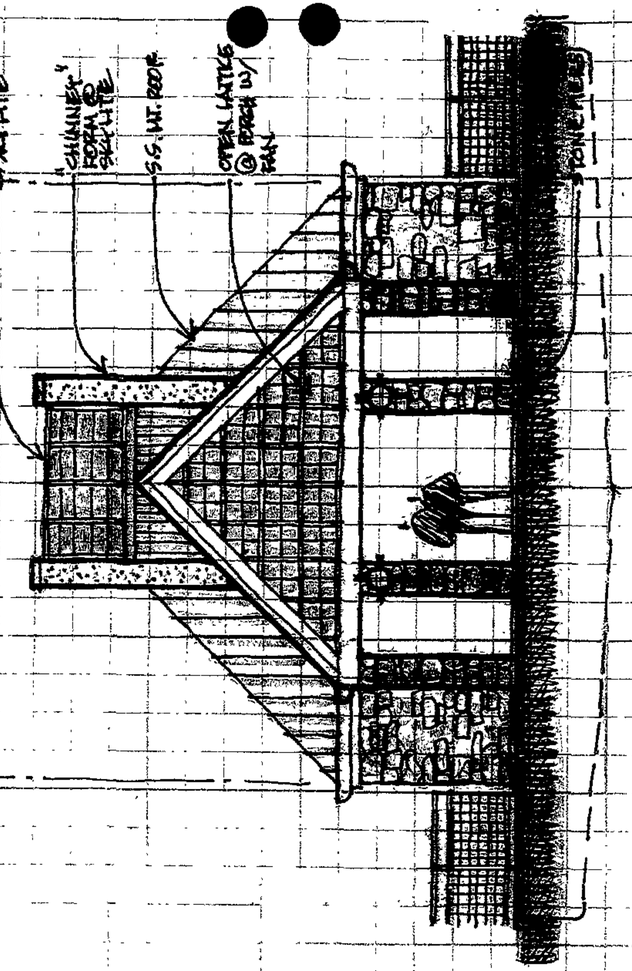
03-171-A



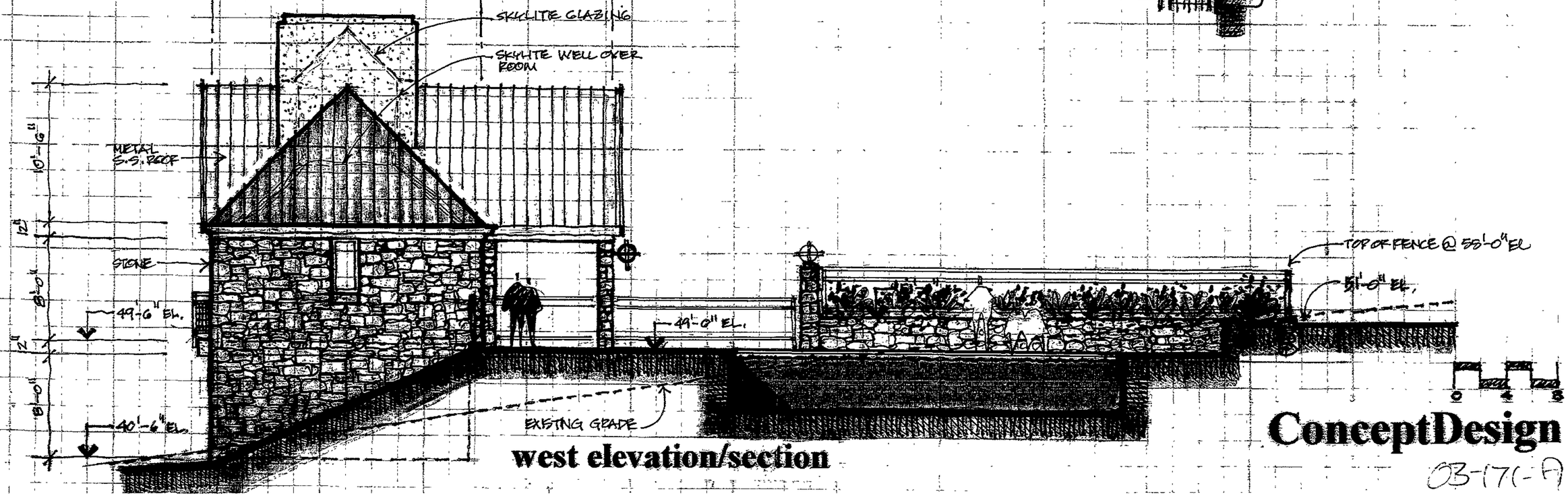
ConceptDiagram



floor plan



south elevation

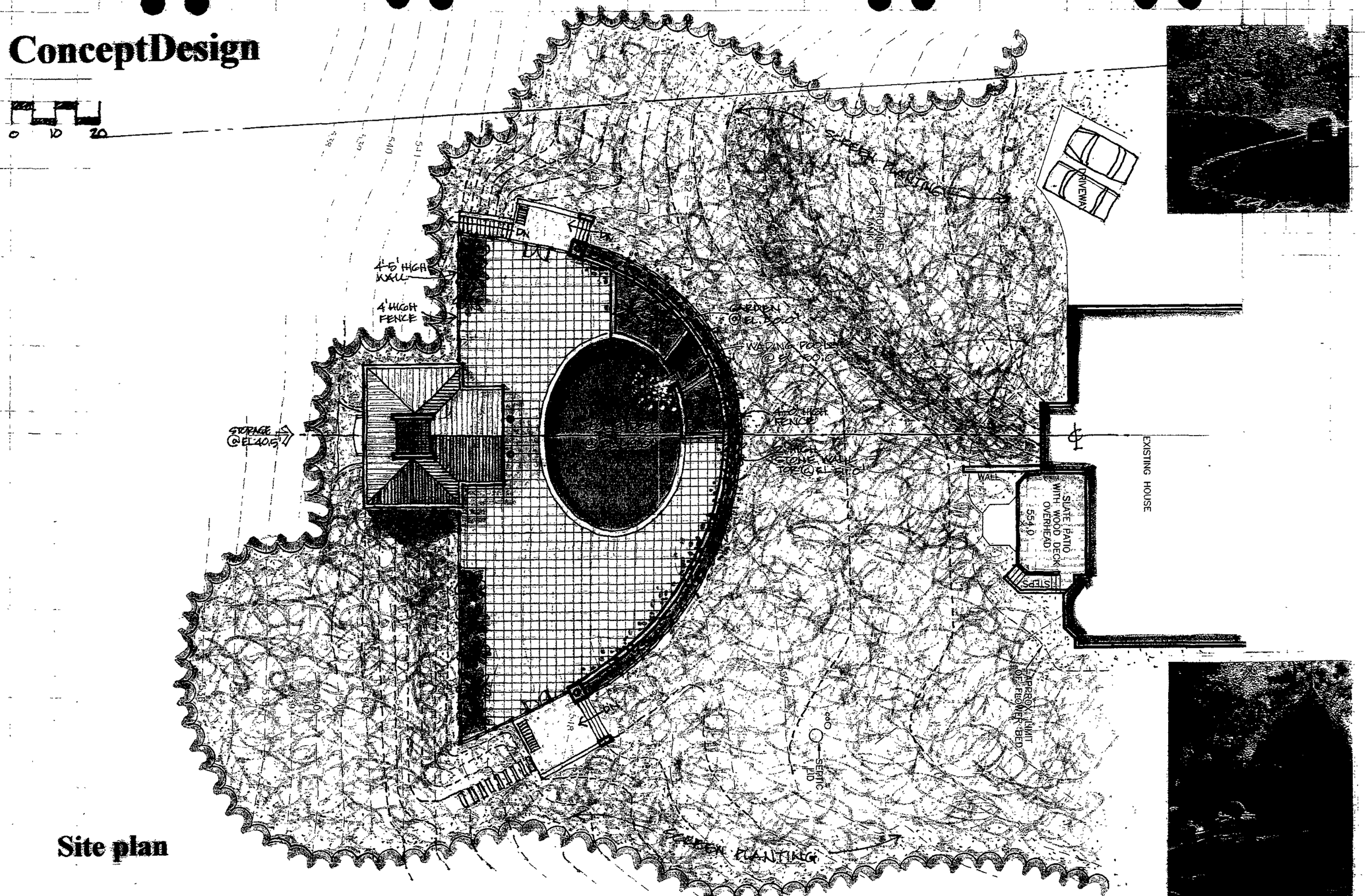


west elevation/section

ConceptDesign

03-171-A

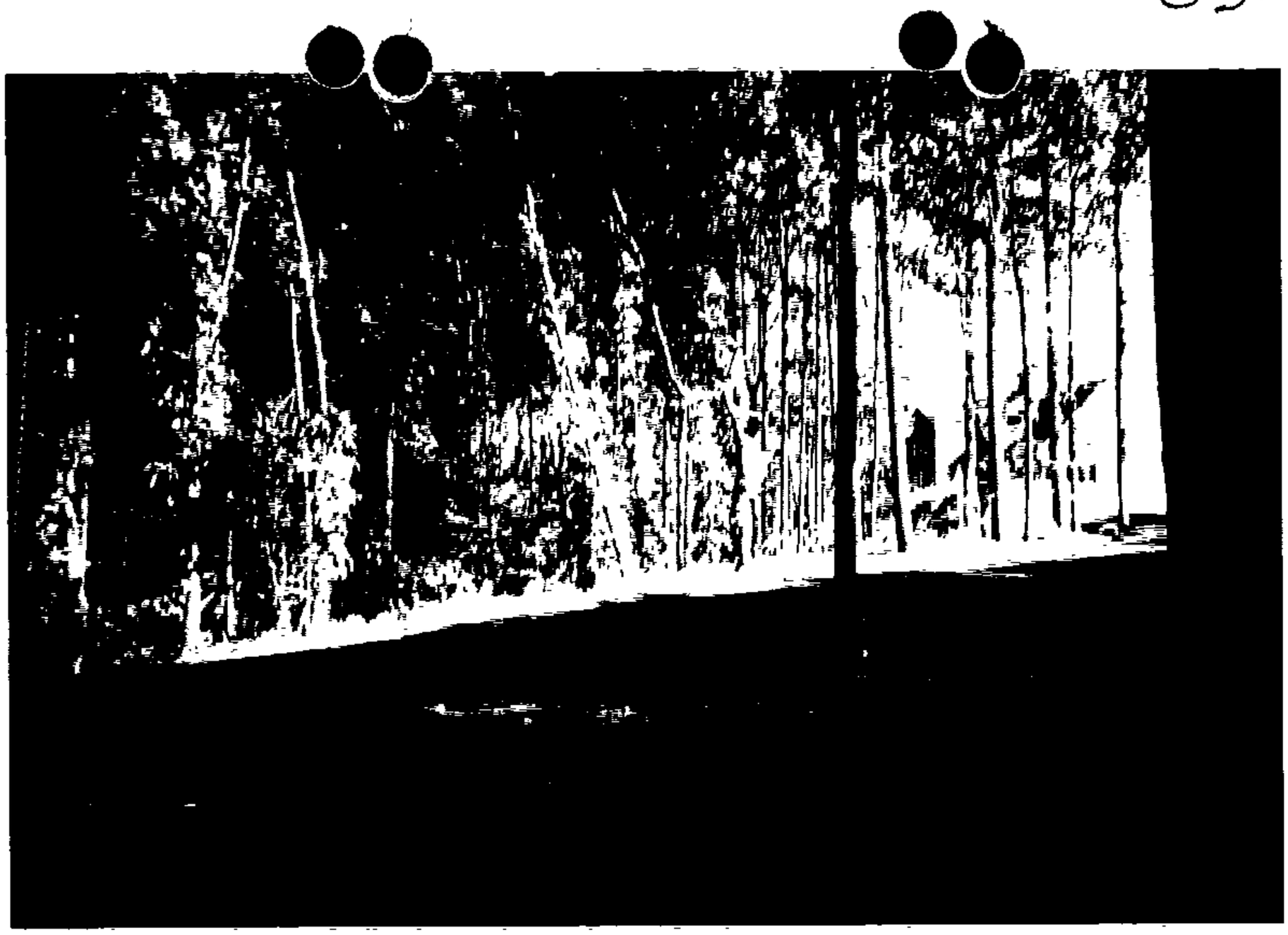
ConceptDesign



Site plan

C3-17(-1)

03-171-A

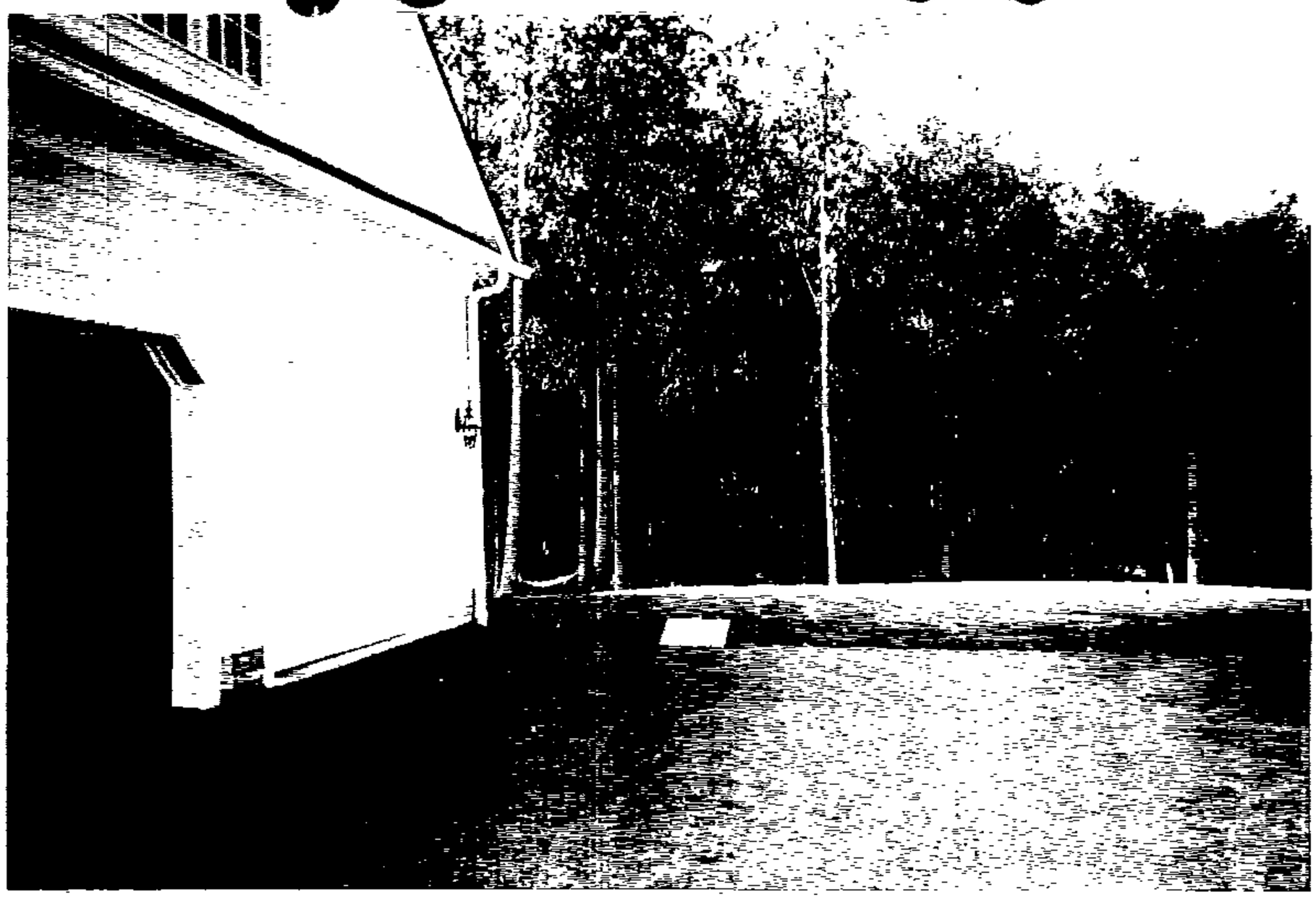


POOL HOUSE SITE LOOKING
TOWARDS #24 IVY REACH COURT

POOL HOUSE SITE LOOKING TOWARDS
28 IVY REACH COURT

03-171-A

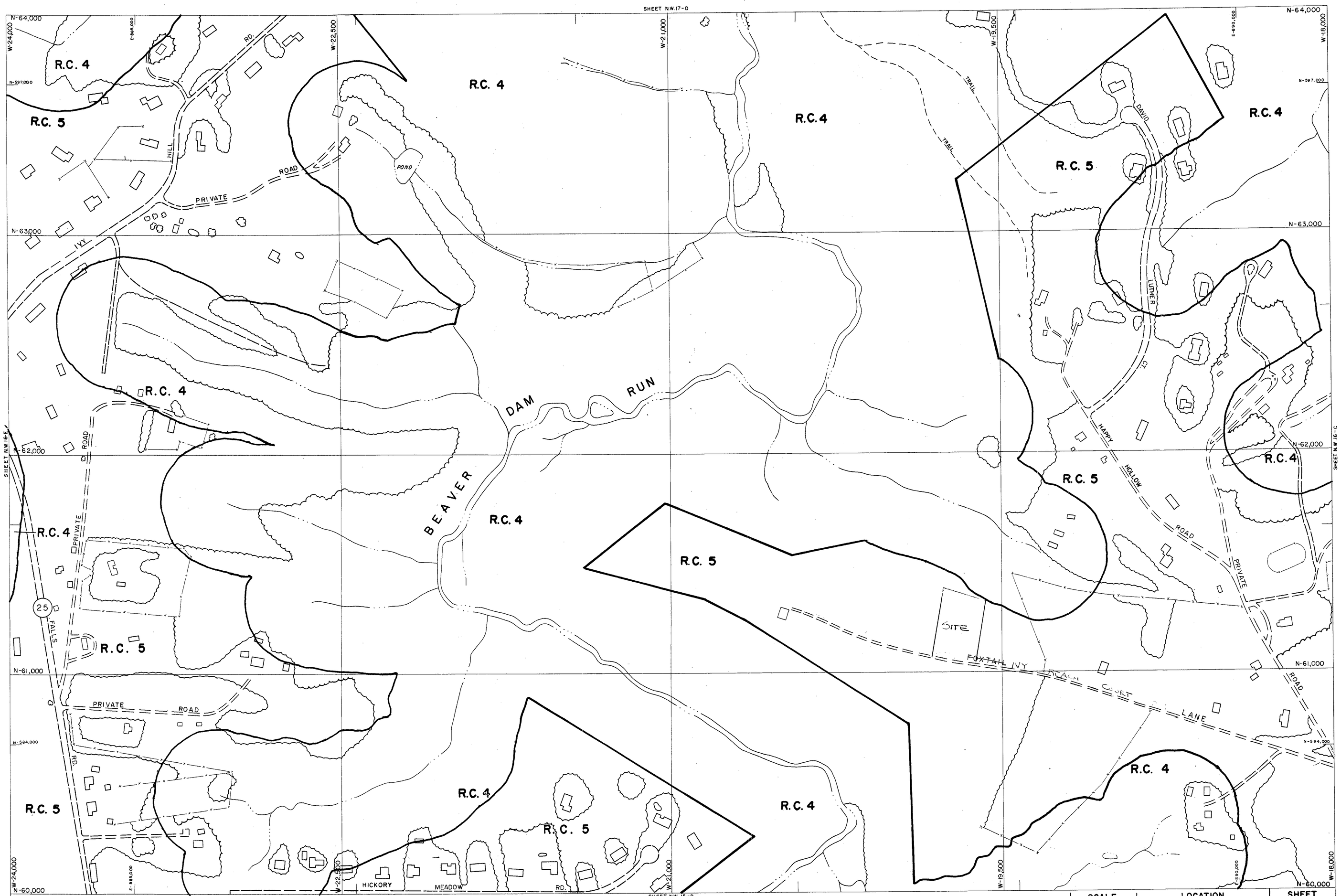
03-171A



GARAGE LOOLING TOWARDS POOL SITE

REAR OF HOUSE

03-171D



V-SW
S-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Bartenfelder
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	DEEP RUN	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		16-D

NW 16 D

03-171(17)