

IN RE: PETITION FOR ADMIN. VARIANCE

N/S of Farm Ridge Court, 30' SE
centerline of Carroll Manor Road
11th Election District
6th Councilmanic District
(1 Farm Ridge Court)

Catherine P. & James D. Walrod
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 03-324-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, Catherine P. and James D. Walrod. The variance request is for property located at 1 Farm Ridge Court in the Baldwin area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (swimming pool) to be located in the third of the lot closest removed from any street in lieu of the farthest third. 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.

2/13/03
R. J. Jenson

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 13th day of February, 2003, that a variance from Section 400.1 of the B.C.Z.R., to permit an accessory structure (swimming pool) to be located in the third of the lot closest removed from any street in lieu of the farthest third, 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

2/13/03
R. J. Jenson



Baltimore County
Zoning Commissioner

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

February 13, 2003

Mr. & Mrs. James D. Walrod
1 Farm Ridge Court
Baldwin, Maryland 21013

Re: Petition for Administrative Variance
Case No. 03-324-A
Property: 1 Farm Ridge Court

Dear Mr. & Mrs. Walrod:

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 Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1 Farm Ridge Court
which is presently zoned RC5

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)

400.1 to permit an accessory building (swimming pool) to be located in the third of the lot closest removed from any street in lieu of the farthest third, and amend the last approved final development plan.

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):

x James D. Walrod
Name - Type or Print

x James D. Walrod
Signature

x CATHERINE P. Walrod
Name - Type or Print

x Catherine P. Walrod
Signature

x 1 Farm Ridge Ct. 410 592 7884
Address Telephone No.

x City State Zip Code

Representative to be Contacted:

x James Walrod
Name

x 1 Farm Ridge Ct. 410 592 7884
Address Telephone No.

x Baldwin MD 21013
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. 03-324-A

Reviewed By JRF Date 1-15-03

REV 10/25/01

Estimated Posting Date 1-28-03

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

1 Farm Ridge Court
Address
x Baldwin MD 21013
City State Zip Code

x 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):

We desire to place a swimming pool in the rear of our house. If the pool were located on the side of the house opposite the street, our septic & septic drain field are in the way. This location also affords the maximum privacy from the neighbors & the street.

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.

x James D. Walrod
Signature
x James D. Walrod
Name - Type or Print

x Catherine P. Walrod
Signature
x CATHERINE P. Walrod
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

x I HEREBY CERTIFY, this 27th day of December 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

x James D. Walrod and Catherine P. Walrod
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

x Robert M. Mulliff
Notary Public
My Commission Expires 1/1/06

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1 Farm Ridge Court
Address
Baldwin MD 21013
City State Zip Code

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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.

x James D. Walrod
Signature
x James D. Walrod
Name - Type or Print

x Catherine P. Walrod
Signature
x CATHERINE P. Walrod
Name - Type or Print

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x James D. Walrod & Catherine P. Walrod
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

x Paul M. Midliff
Notary Public
My Commission Expires 11/1/06



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1 Farm Ridge Court
which is presently zoned RC5

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)

400.1 to permit an accessory building (swimming pool) to be located in the third of the lot closest removed from any street in lieu of the farthest third, and amend the last approved final development plan.

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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):

x James D. Walrod
Name - Type or Print

x James D. Walrod
Signature

x CATHERINE P. Walrod
Name - Type or Print

x Catherine P. Walrod
Signature

x 1 Farm Ridge Ct. 410 592 7884
Address Telephone No.

x
City State Zip Code

Representative to be Contacted:

x James Walrod
Name

x 1 Farm Ridge Ct. 410 592 7884
Address Telephone No.

x Baldwin MD 21013
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. 03-324-A

Reviewed By JRE Date 1-15-03

REV 10/25/01

Estimated Posting Date 1-28-03

Beginning on the north side of
Farm Ridge Court, 40 feet wide, at
the distance of 30 feet southeast the
centerline of Carroll Manor Road. Also

Known as Lot 19 of the Hurline Farms

subdivision or 1 Farm Ridge Court as

recorded in Plat Book SM 62, Folio 24,

containing 1.149 Ac. and located within

the 11th Election District and 6th Councilmanic

District

324

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **16394**

DATE 1-15-03 ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: Catherin's P. Walred
1 From Ridge Ct. ITEM # 324
FOR: 310.. VARIANCE TAKEN BY: JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
1/17/2003 1/17/2003 09:30:22

REG #504 WALKIN DOOL DND DROWER 2

RECEIPT # 211517 1/17/2003 OPEN

DEPT 5 528 ZONING VERIFICATION

CK NO. 016394

Recpt Tot \$65.00

65.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.

03-324-A

Petitioner/Developer

James + Catherine
Walrod

Date of Hearing/Closing

2-11-03

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

Ladies and Gentlemen:

This letter is to certify under penalties of perjury that the necessary sign(s) required by
law were posted conspicuously for the property known as

1 Farm Ridge Ct.

The signs were posted on

Sunday, Jan. 26, 2003
(Month, Day, Year)

Sincerely,

[Signature] 1/26/03

(Signature of Sign Poster and Date)

THOMAS J. RICE III

(Printed Name)

Daft- McCune- Walker, Inc.

200 East Pennsylvania Avenue

Towson, MD 21286

(Address)

410-296-3333

(Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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 # 324
Petitioner James D. Walrod
Address or Location 1 Farm Ridge Ct.

PLEASE FORWARD ADVERTISING BILL TO:

Name James D. Walrod
Address 1 Farm Ridge Ct.
Baldwin MD 21013
Telephone Number 410 - 592-7884

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 324 -A Address 1 FARM RIDGE CT.

Contact Person: JULIA R. FERNANDO Phone Number: 410-887-3391
Planner: Please Print Your Name

Filing Date: 1-15-03 Posting Date: 1-28-03 Closing Date: 2-11-03

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.

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 324 -A Address 1 FARM RIDGE CT.

Petitioner's Name James & Catherine Walrod Telephone 410-592-7884

Posting Date: 1-28-03 Closing Date: 2-11-03

Wording for Sign To Permit an accessory structure (swimming pool)
to be located in the third of the lot closest removed from
any street in lieu of the farthest third.



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

February 10, 2003

Mr. and Mrs. James Walrod
1 Farm Ridge Court
Baldwin, MD 21013

Dear Mr. and Mrs. Walrod:

RE: Case Number: 03-324-A, 1 Farm Ridge Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 15, 2003.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.17.03

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

RE: Baltimore County
Item No. 324

JRF

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 Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Rebecca Hart

Distribution Meeting of: January 21, 2003

Item No.: 305, 307-311, 316-322, (324) & 325

Dear Ms. Hart:

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.

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

cc: File

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS HTR*

DATE: February 20, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of January 21, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

324
305-308, 310, 311, 313, 315-319, 321-325

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 27, 2003

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-324 – Administrative Variance

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: [Signature]

AFK/LL:MAC

RECEIVED

JAN 28 2003

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 28, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For January 27, 2003
Item Nos. 305, 306, 307, 308, 310,
311, 312, 313, 314, 315, 316, 320,
321, 322, 323, 324, and 325

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

RWB:HJO:jrb

cc: File



Maryland Department of Planning

Robert L. Ehrlich Jr.
Governor

Michael S. Steele
Lt. Governor

Audrey E. Scott
Secretary

January 21, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 01/27/03 re: case numbers 03-305-SPH, 03-306-X, 03-307-SPH, 03-308-A, 03-309-A, 03-310-A, 03-311-A, 03-312-X, 03-313-SPH, 03-314-XA, 03-315-SPH, 03-316-SPHX, 03-317-A, 03-318-A, 03-319-A, 03-320-A, 03-321-A, 03-322-A, 03-323-SPHA, 03-324-A, 03-325-A

Dear Ms. Hart:

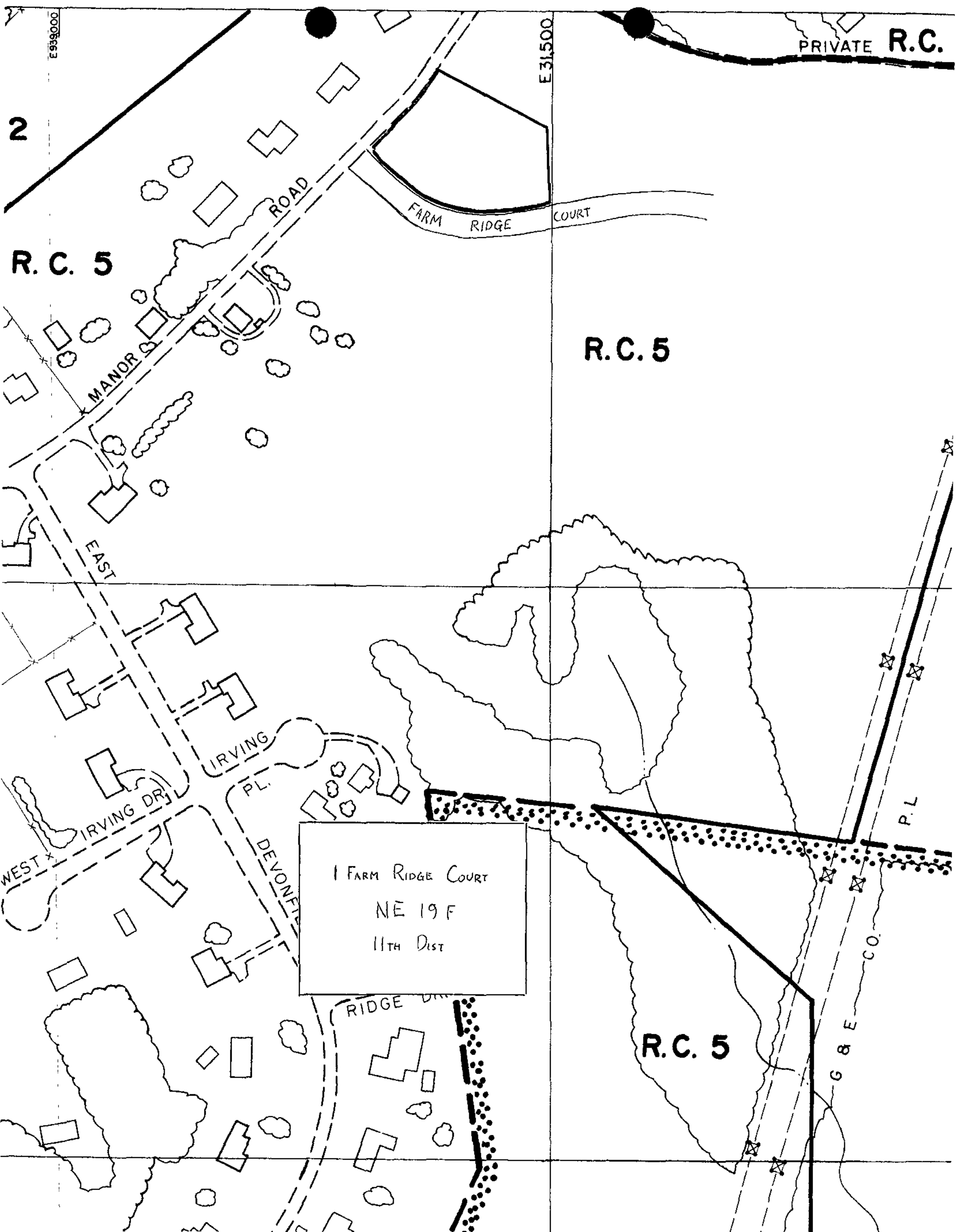
The Maryland Department of Planning has received the above-referenced information on 01/16/03. The information has been submitted to Mr. Mike Nortrup.

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



2

R.C. 5

R.C. 5

PRIVATE R.C.

1 FARM RIDGE COURT
NE 19 F
11TH DIST

R.C. 5





ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No. 03-324-A

TO PERMIT AN ACCESSORY STRUCTURE
(SWIMMING POOL) TO BE LOCATED IN THE
THIRD OF THE LOT CLOSEST REMOVED FROM
ANY STREET IN LIEU OF THE FARTHEST THIRD.

PUBLIC HEARING?

FEBRUARY 11, 2003

PLANNING APPROVED BY BOARD

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