IN RE: PETITION FOR ADMIN. VARIANCE

S/S of Cedarmere Road, 200' E

centerline of Ashmere Road

4th Election District

4th Councilmanic District

(15 Cedarmere Road)

John Kuhlman Petitioner BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-389-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by John Kuhlman, the legal owner of the subject property. The variance request is for property located at 15 Cedarmere Road in the Owings Mills area of Baltimore County. The Petitioner herein seeks a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.)(Sec. 7-1953 Regulations, Section III), to permit an 18 ft. front yard setback in lieu of the permitted 25 ft. and a 3 ft. side yard setback in lieu of the permitted 7 ft. for a proposed carport. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner 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 Petitioner has 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

2/03

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 April, 2003, that a variance from Section 1B02.3.B of the (B.C.Z.R.)(Sec. 7-1953 Regulations, Section III), to permit an 18 ft. front yard setback in lieu of the permitted 25 ft. and a 3 ft. side yard setback in lieu of the permitted 7 ft. for a proposed carport, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building 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, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

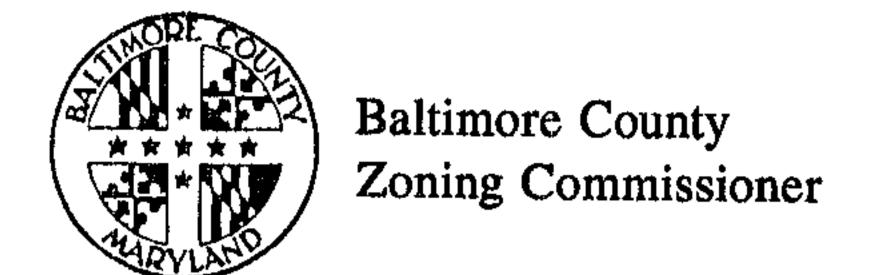
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

, TMK:raj





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

Fax: 410-887-3468

April 2, 2003

Mr. John Kuhlman 15 Cedarmere Road Owings Mills, Maryland 21117

> Re: Petition for Administrative Variance Case No. 03-389-A Property: 15 Cedarmere Road

Dear Mr. Kuhlman:

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,

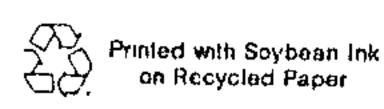
Muthy lotro co

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: Watson Morgan 4145 Louisville Road Finksburg, MD 21048





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 15 LEDARMERE RD, OWINGS MILLS which is presently zoned DR 3.55

I/We do solemnly declare and affirm, under the penalties of

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) IBCZ. 38 FEDULITING 7-53 Reg. ULB TLOWS SECULT A PESCHOOL TO PERMIT AN 18 FT. FRONT YEAR SECUROR LINE ASFT, AND A 3FT. SIDE YEAR SECURD SECURD SECURD WE LIGHT TET.

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.

			perjury, that I/we are the least the subject of this Petitic	egal owner(s) of on.	the property which
Contract Purchaser	<u>Lessee:</u>		Legal Owner(s):		
Name - Type or Print	· 		JOHN KUHI Name - Type or Print	LMAN	······································
Signature			Signature		
Address	······································	Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Petition	<u>ner:</u>		15 CEDARMER Address	E RD	410-363-093 Telephone No.
Name - Type or Print			OWINGS MILLS	MD	21117
e.			City	State	Zip Code
Signature	* * * * * * * * * * * * * * * * * * * 		Representative to be	Contacted:	•
Company	······································		WATSON MORO	AN	
Address			4145 LOUISVIL	LE RD	410-984-272
, radiosp		Telephone No.	FINKSBURG	A 4 12	Telephone No.
City(V)	State	Zip Code	City	MD State	21048 Zip Code
A Public Hearing having ber this day of regulations, of Baltimore Count	en formally demand that y and that the proper	led and/or found to be at the subject matter of the ty be reposted.	required, it is ordered by the Zon is petition be set for a public hearin	ing Commissione ig, advertised, as	
	2200	<u>A</u>	Zoning Commissione		•
CASE NO. 0) J811	Revi	ewed By	Date O	2-2103
REV 10/25/01		Esti	nated Posting Date(33-07	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.

competent to testify thereto in the event that a	hanic ucai	۱۱۱ ۱۱ ان ۱۱۱ ۱۱۱ ان ۱۱۱۱۱	·	Po	
That the Affiant(s) does/do presently reside at	Address		DARMERE	MD	21117
	City	11105	MILLS	State	Zip Code
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2. SETBACK ON EAST SIDE					
3. ONLY ACCESS BY VEHICLE	TO BA	4CK Y	ARD 15 ON	1 WEST 51	DE. OTHER
PROPERTIES ABUT THRE					
4. I USE ATRAILER TO	TRANSF	ORT	AMOTORC	YCLE AN	D STORE IT IN
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5. I NEED COVER TO KEE	EP My	VEH	ICLE OUT	of the	WEATHER.
6. BOTH MY VEHICLES MANY	TRAI.	LER	HAVE BEEN	SA TIFI L	D DAMAGED BY
others when parked	on th	E 577	2.6ET		
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	formal de e additiona	mand is I informa	filed, Affiant(s) tion.	will be require	ed to pay a reposting and
Signature			Cigriature.		
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STATE OF MARYLAND, COUNTY OF BAL	TIMORE. to	o wit:	, , , , , , , , , , , , , , , , , , , 		
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I HEREBY CERTIFY, this 300 day of of Maryland, in and for the County aforesaid,	personally	appeare	<u>d</u>	<u></u>	
the Affiant(s) herein, personally known or sat				ffiant(s).	, , , , , , , , , , , , , , , , , , ,
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REV 10/25/01

My Commission Expires WATSON D. MORGAN, NOTARY PUBLIC County of Carroll State of Maryland

My Commission Expires March 1, 2003

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		EDARMERE	The state of the s	
	Address	5 MILLS	MD	21117
	City	· ·	State	Zip Code
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2. SETBACK ON EAST SIDE	(10') ALSO	HAS HTILITY	/ EASEMENT.	
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Signature			. <u></u>	
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Name-Type or Print HOME # 410-3 WORK # 410-79 STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:	Signature Name - Type or Pr		tary Public of the State
Name - Type or Print HOME # 410 - 3 WORK # 410 - 7 STATE OF MARYLAND, COUNTY OF BALT I HEREBY CERTIFY, this 3rd day of for Maryland, in and for the County aforesaid, the county aforesaid aforesaid.	IMORE, to wit: ehruany personally appea	Signature Name - Type or Proceed	, before me, a No	tary Public of the State
Name-Type or Print HOME # 410-3 WORK # 410-79 STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit: ehruany personally appea	Signature Name - Type or Proceed	, before me, a No	tary Public of the State
Name-Type or Print HOME # 410-3 WORK # 410-79 STATE OF MARYLAND, COUNTY OF BALT I HEREBY CERTIFY, this 3rd day of for Maryland, in and for the County aforesaid, the Affiant(s) herein, personally known or satisfactors.	IMORE, to wit: ehruany personally appea	Signature Name - Type or Proceed	, before me, a No	tary Public of the State
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REV 10/25/01

WATSON D. MONGAN, NOTARY PUBLIC Country of Carroll State of Maryland

My Commissions and March 1, 2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	15	CEDARMERE	RD,	On	11N&S	MILLS
which i	s pi	resently zoned	Ĺ	R :	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) 1 B 0 7.38 PERMITTING 7-53 REGULATIONS SEL II "A" RESIDENCE TO PERMIT AN 18FT FRONT YARD SETBACK IN LIEU OF 7FT.

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 dec perjury, that I/we are t is the subject of this P	ne ledal owner(s) of t	the penalties of he property which
Contract Purchaser/	Lessee:		Legal Owner(s):		
Name - Type or Print		-7************************************	JOHN KI Name - Type or Print	IHLMAN	· · · · · · · · · · · · · · · · · · ·
Signature	**************************************	L	Signature		
Address	······································	Telephone No.	Name - Type or Print		*************************************
City	State	Zip Code	Signature	**************************************	
Attorney For Petition	<u>rer:</u>	•	15 CEDARM Address	ERE RD	410-363-093 Telephone No.
Name - Type or Print		······································	City City	,	21117
Signature	* ,	· · · · · · · · · · · · · · · · · · ·	Representative to	State be Contacted: RGAN	Zip Code
Company				ILLE RD	410-984-272
Address		Telephone No.	Address FINKSBURG	A 4 17	Telephone No.
City	State	Zip Code	City	MD State	2-1048 Zip Code
A Public Hearing having been this day of regulations of Baltimore County	. 4116	16	ns petition be set for a public t	iearing, advertised, as r	equired by the zoning
CASE NO.	3- 38	9. A. Revi	ewed By - 507-	sioner of Baltimore Cou	1003 2.2603
REV 10/25/01			nated Posting Date	03.07.	03

ZONING DESCRIPTION FOR 15 CEDARMERE ROAD, OWINGS MILLS, MD 21117

Beginning at a point on the Southe side of Cedarmere Road which is 50 feet wide at the distance of 200± east of the centerline of the nearest improved intersecting street, Ashmere Road. Being Lot #1, Block A, as shown on said Plat of Section B., Cedarmere, Section A recorded among Land Records of Baltimore County in Plat Book GLB No. 20, folio 29. Subject to a 5 foot easement for utilities along the first line of the lot herein described. Property contains 10050 square feet. Also known as 15 Cedarmere Road and located in the 4th Election District, 1st Councilmanic District.

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VALIDATION

CERTIFICATE OF POSTING

Œ:	Case No.: 03-389-A
	Petitioner/Developer:
	Kuhlman
	Date of Hearing/Closing: 3-17-03

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 15 Cedarmere Road

Owings Mills, MD 21117



Februar	y 25,	20	03
To the state of th	Month	Day	Vent

(Month, Day, Year)

Sincerely,

Machardner 2-20-03

(Signature of Sign Poster and Date)

Stacy Gardner

(Printed Name)

JHANNON-BAUM SIGNS INC.

105 COMPETITIVE GOALS DR. ELDERSBURG, MD. 21784

(City, State, Zip Code) 4/0-78/-4/000

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

	Number			-A				PARLITURGE.	120
Conta	ct Perso	n·	SOU- Plane	S R (-) (cr. Please Print)	COAND Your Name	<u>- Au</u>	Pho	one Number: 4	10-887-3391
Filing	Date: _	0	2.21.0	<u> </u>	osting Date	e: <u>03-0</u>	<u> 2</u> 03	Closing Date	: <u>03-17-</u> 0
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WCR - Revised 6/28/00 $3 \cdot 389$, ()

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

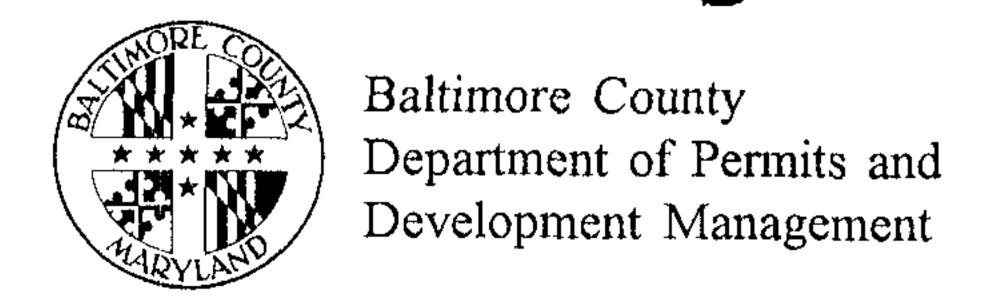
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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 News	paper Adver	tising:				
	ber or Case N			Α	· · · · · · · · · · · · · · · · · · ·	
Petitioner	JOHN	KUHLMI	ナン	 	······································	
Address c	r Location:	5 CEDAR	MERE	RD,	OWINGS MILLS	MD 21117
	FORWARD AL JOHN K			O:		
Address:	15 CEDA	trmere	RD			
	OWINGS	MILLS	MY	2.1117		

Revised 2/20/98 - SCJ



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

March 28, 2003

Mr. John Kuhlman 15 Cedarmere Road Owings Mills, MD 21117

Dear Mr. Kuhlman:

RE: Case Number: 03-389-A, 15 Cedarmere Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 21, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel

Watson Morgan, 4145 Louisville Road, Finksburg 21048



MARYLAND DIPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., Governor · Michael S. Steele, Lt. Governor · Trent M. Kittleman, Acting Secretary

Date: 3.11.773

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

RE:

Baltimore County

Item No. 389

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,

f-

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



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 March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 10, 2003

389

Item No.:

384 - 395

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: March 13, 2003

RECEIVED

MAR 1 3 2003

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-384 & 03-389 WWG COMMSSIONER

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

Section Chief:

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 14, 2003

Department of Permits & Development Management

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

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 17, 2003 Item Nos. 384, 385, 388 (389, 393, 394, and 395

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

RWB:CEN:jrb

cc: File

Robert L. Ehrlich, Jr.

Maryland Department of Planning

Audrey E. Scott Secretary

Florence E. Buctan
Deputy Socretary

Michael S. Stoclo

March 12, 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, 03-17-03 regarding case numbers: 03-384-A, 03-385-A, 03-387-A, 03-388-SPH, 03-389-A, 03-390-SPH, 03-391-A, 03-392-SPHA, 03-393-SPHA, 03-394-A, 03-395-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/11/03. 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

Janoil Callo

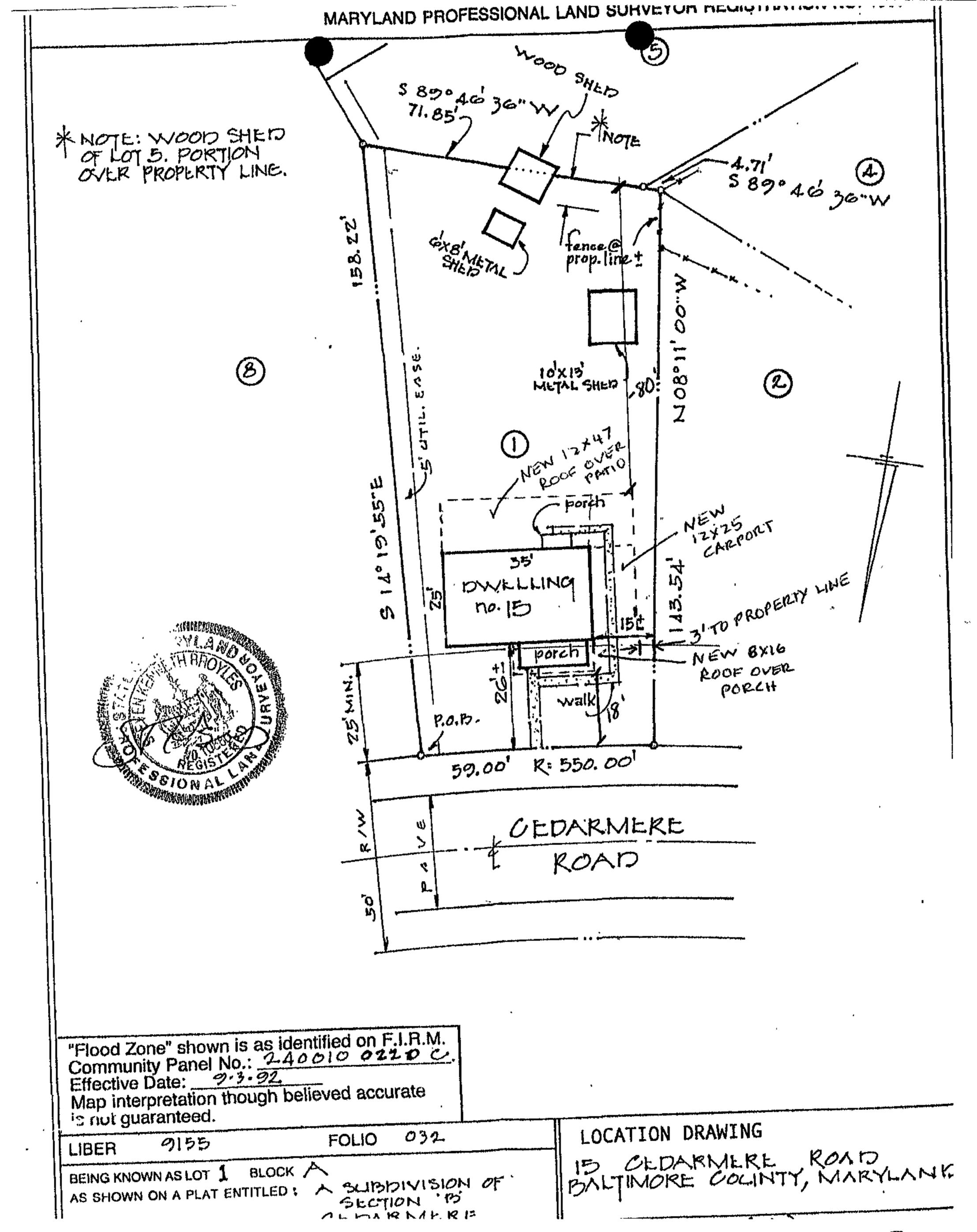
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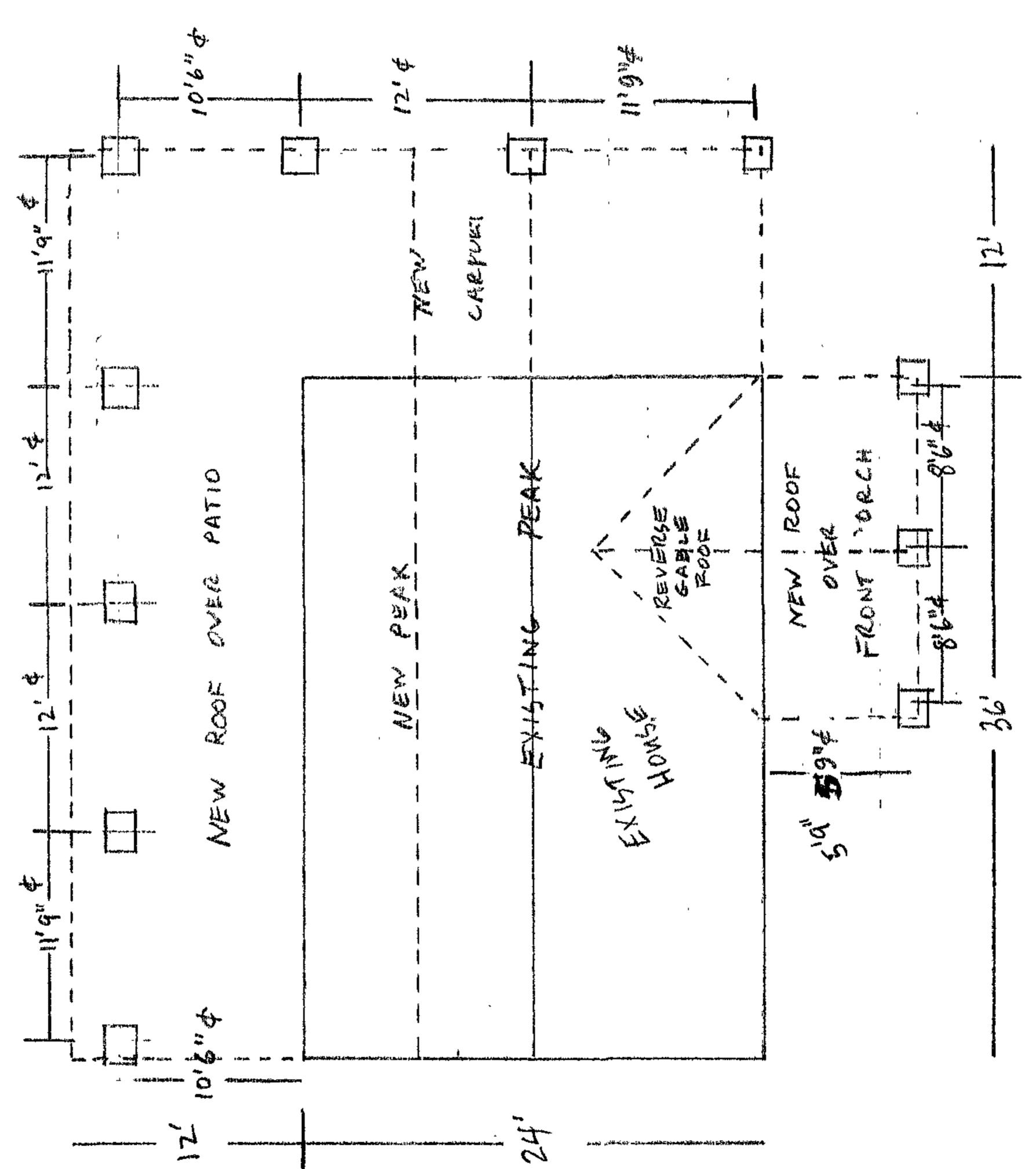
Metropolitan Planning

Local Planning Assistance Unit

cc: MikeNortrup

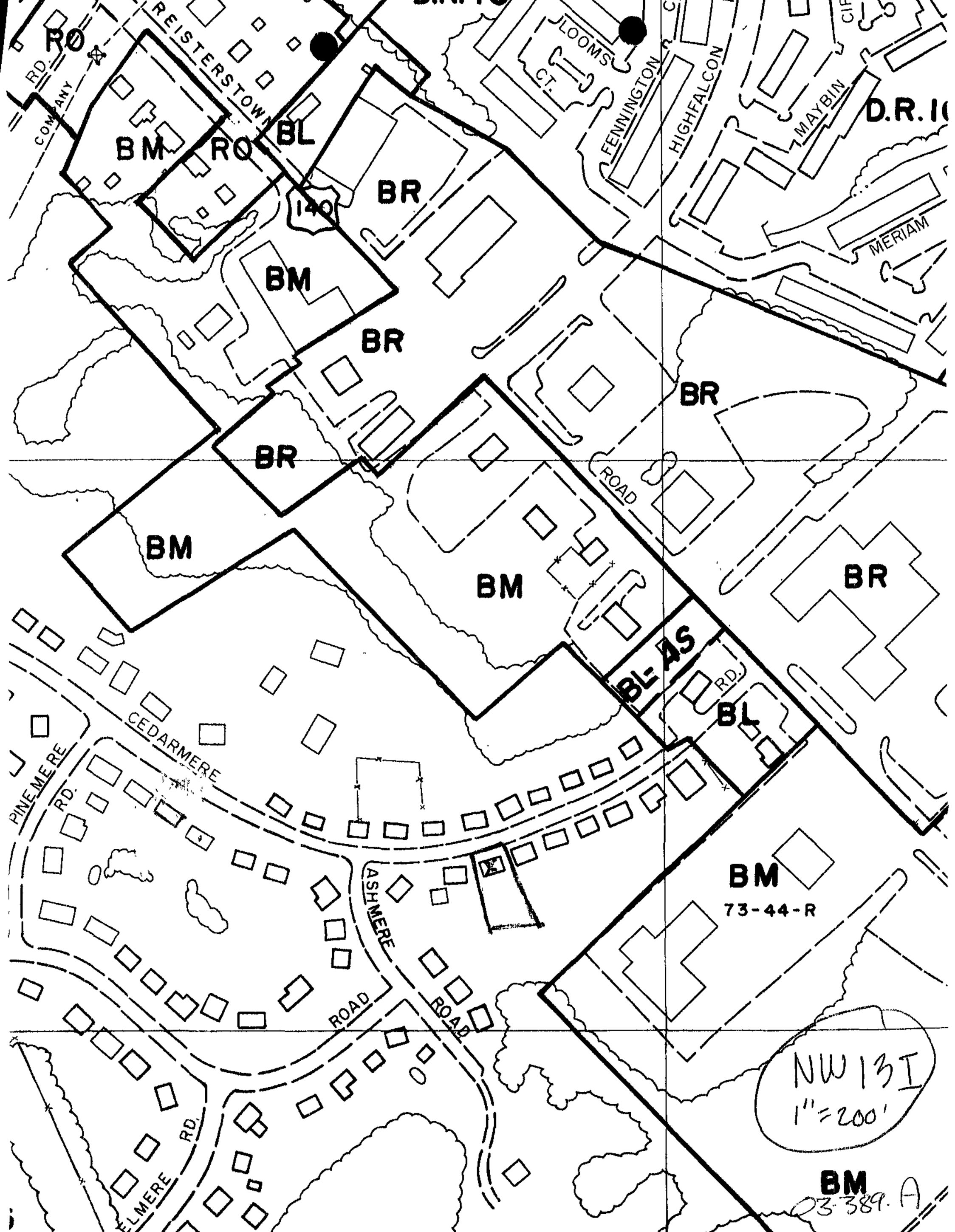
7 F K. Pracest Ed. P. D. 5.58 经区 X ONLY CASE るた形 PRIVATE LOCATION INFORMATION REQUIRED INFORMATION = 1000 SE d\A COUNCIL MANIC DISTRICT LA OFFICE # 100 YEAR FLOOD PLAIN PRIOR ZONING HEARING SER RIVERE i"=200' SCALE MAP# VICINITY #-区 HISTORIC PROPERTY/ BUILDING ACREAGE Z CUCO SCALE: ELECTION DISTRICT 53 CHESAPEAKE BAY CRITICAL AREA Y K ZONING REVIEWED BY SEWER アスロケーを大力 WATER 2850 2850 7870 ADDITIONAL SHBAECT LOT SIZE ZONING CHECKLIST FOR 30 シン 丌 7,50 (g) 유 DRAWING: 00 ROAD ~ POP4# FOR ZONING ණ ෆ 4 W 0 ROOF 2 医をあれる PAGES 45年を記述力 あっつって本 STING P W-00 11 80 M 75 E P クドロ人がプードで 벎 SCALE 40 g° が数 Š EM*ELOSOSCHO 02 E & 26. 00 4 000 TOTAL 550 Walk 块 Ö SECTION 16'36" W w. 2 R $\frac{5}{2}$ · · TAN STATE 792 00 所の所 3 near ٨ 67 \$888 ₩, M ဌ E, their By Se. SAN ACCOMPANY みのなが 3/18/4 FOLIO # 24 出 HISTINGET LEGISTINGET W//MGROA 'ZZ.8a! MM SE, MIN A 09 M CONFORMING ン4万ちがたら 4 PPROVES PROPERTY ADDRESS Dy Sating SES 豆布 AME 21 Z SHO 7,52 SUBDIVISION NA LIBER PLAT BOOK # CROS 3 (O) PREPARED BY property APPRIOVAL OF OWNER 林中十 REQUESTED 202 2 2 NOCE なな 公在 エガス Z





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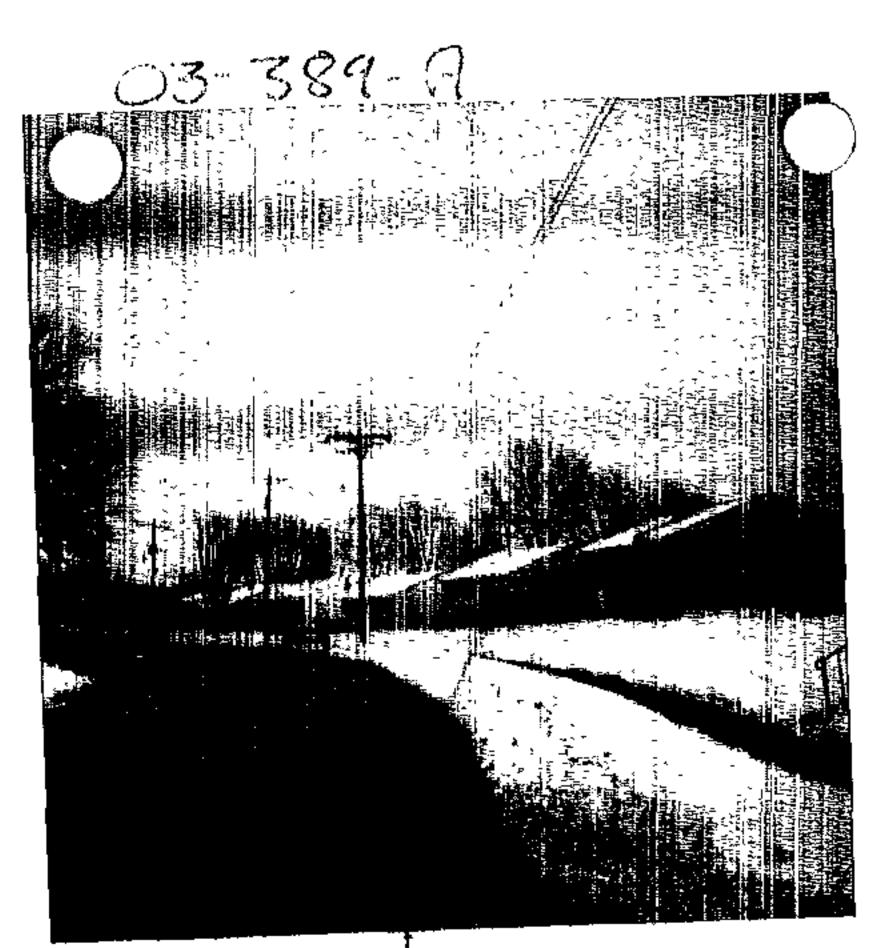
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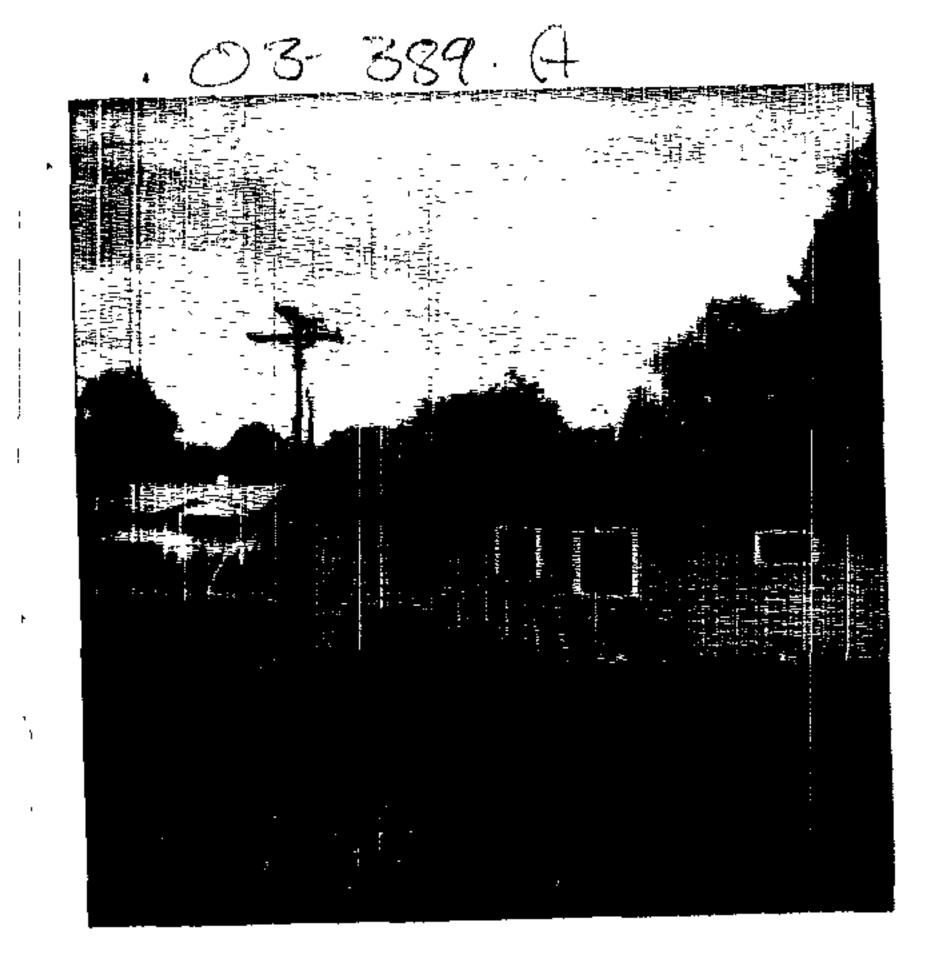
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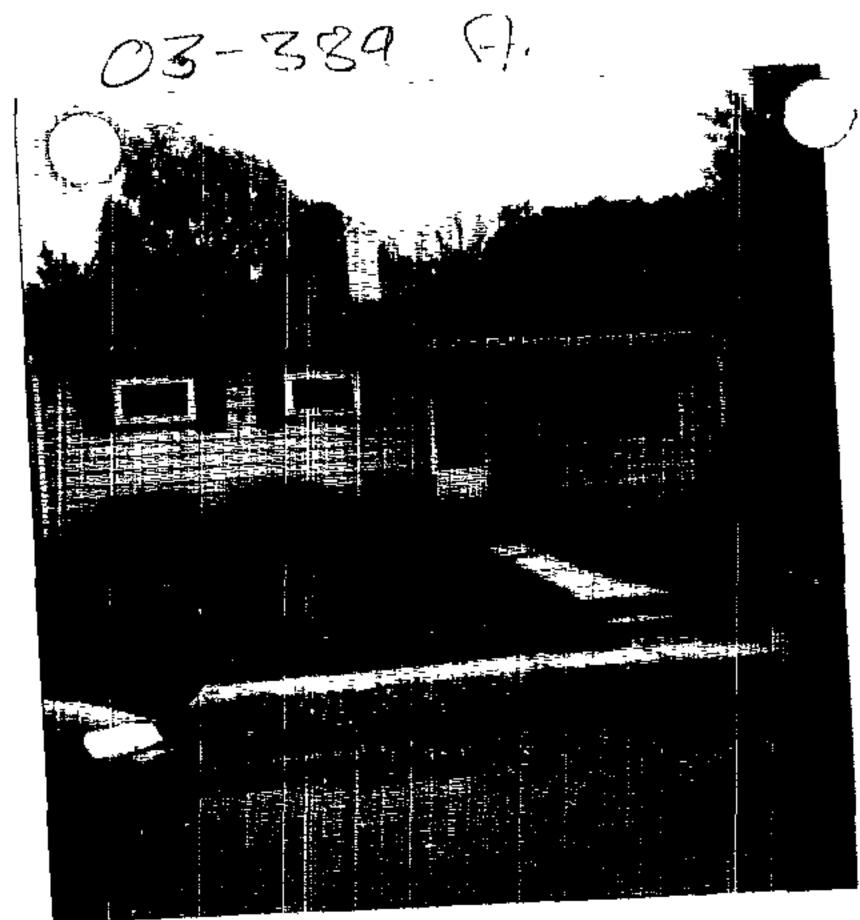


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