

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Reston Lane, 177' E
centerline of Springhouse Circle
14th Election District
6th Councilmanic District
(7802 Reston Lane)

Thomas Sheckells
Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 03-435-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Thomas Sheckells, legal owner, of that property known as 7802 Reston Lane in the Rosedale area of Baltimore County. The Petitioner herein seeks relief from Sections 1B01.2.C.1.b and 300.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (deck and screen room) with a 10 ft. setback in lieu of the required 22.5 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for 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.

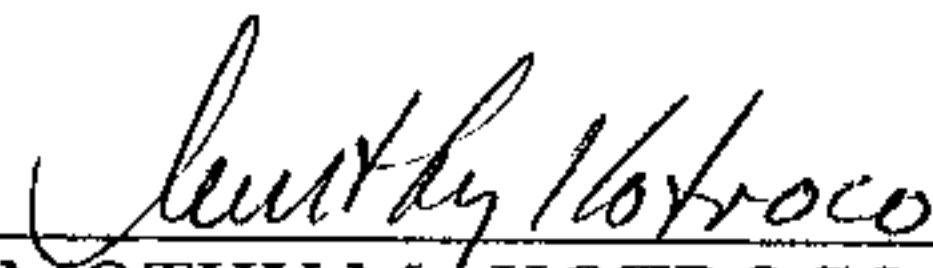
The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

4/16/03
R. G. G. G.

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 April, 2003, that a variance from Sections 1B01.2.C.1.b and 300.1 of the Baltimore County Zoning Regulations to permit an open projection (deck and screen room) with a 10 ft. setback in lieu of the required 22.5 ft., 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

4/16/03
R. J. Jester



Baltimore County
Zoning Commissioner

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

April 16, 2003

Mr. Thomas Sheckells
7802 Reston Lane
Baltimore, Maryland 21237

Re: Petition for Administrative Variance
Case No. 03-435-A
Property: 7802 Reston Lane

Dear Mr. Sheckells:

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 cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Melissa Gabinet
1713 Baldwin Mill Road
Jarrettsville, MD 21084

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 7802 Reston Lane

which is presently zoned D.R. 5.5

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) 1201.2C.1.b., 301 (BCZR)

TO PERMIT AN OPEN PROTECTION (DECK AND SCREEN ROOM) WITH
A 10-FOOT SETBACK IN LIEU OF THE REQUIRED 22.5 FEET.

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:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address

Telephone No.

Name - Type or Print

City

State

Zip Code

Signature

Attorney For Petitioner:

7802 Reston Lane 410-607-9995
Address Telephone No.

Name - Type or Print

Bosedale MD 21237
City State Zip Code

Signature

Representative to be Contacted:

Company

Name

Address

Telephone No.

Address

Telephone No.

City

State

Zip Code

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 4/16/03 day of April, 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. 03-435-A

Reviewed By D. THOMPSON Date 3/30/03

Estimated Posting Date 3/30/03

REV 10/25/01

ORDER RECEIVED FOR FILING

Date

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 7802 Reston Lane
Address
Rosedale MD 21237
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):

We are requesting to construct a 16'x16' screen room and an overall sized 20'x40' deck on rear of SFD. The existing lot is unusually small and leaves no room for any improvements to the rear of the home without encroaching the rear set back.

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.

Thomas A. Sheckell
Signature

Thomas A. Sheckell
Name - Type or Print

Melissa Gabriel
Signature

Melissa Gabriel
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of March, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas A. Sheckell
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Sandi L. Tunney
Notary Public

SANDI L. TUNNEY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 23, 2003

My Commission Expires 7-23-03

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

7802 Reston Lane
Address
Rosedale MD 21237
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.

Thomas A. Sheckell
Signature
Thomas A. Sheckell
Name - Type or Print

Melissa Gabinet
Signature
Melissa Gabinet
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of March, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas A. Sheckell
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Sandi L. Tunney
Notary Public
My Commission Expires 7-23-03



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7802 Reston Lane

which is presently zoned D.R. 5.5

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) 1001.2C.1.b., 301 (DCZR)

TO PERMIT AN OPEN PROJECTION (DECK AND SCREEN ROOM) WITH
A 10-FOOT SETBACK IN LIEU OF THE REQUIRED 22.5 FEET.

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.

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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):

Thomas Sheckell

Name - Type or Print

Signature

Name - Type or Print

Signature

7802 Reston Lane

Address

410-687-9995

Telephone No.

Bosedale

City

MD

State

21237

Zip Code

Representative to be Contacted:

Melissa Gabine

Name

1113 Baldwin Mill Rd

Address

410-557-0555

Telephone No.

Jarrettsville

City

MD

State

21084

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. 03-435-A

Reviewed By D. Thompson Date 3/20/03

Estimated Posting Date 3/30/03

ZONING DESCRIPTION FOR 7802 Reston Lane

Beginning at a point on the east side of Reston Lane which is 30 feet wide at a distance of 177 feet east on the centerline of the nearest improved intersecting street Springhouse Circle which is 30 feet wide. Being Lot # 47, Map 82, Grid 14, Parcel 440 in the subdivision of Springhouse Station as recorded in Baltimore Co. Plat Book # S.M.IVO.68, Folio # 62, containing 5394 Sq. feet. Also known as 7802 Reston Lane and located in the 14th Election District, 2nd Councilmanic District.

03-435-A

No. 2200

ACCOUNT 0010-Sub 150

AMOUNT \$ 65.00

RECEIVED
FROM: 1000 11/12/52

FOR: Mr. J. Edgar Hoover

[illegible]

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

100

CERTIFICATE OF POSTING

RE: Case No. **03-435-A**
Petitioner/Developer:
Sheckells
Closing Date: **4/14/03**

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

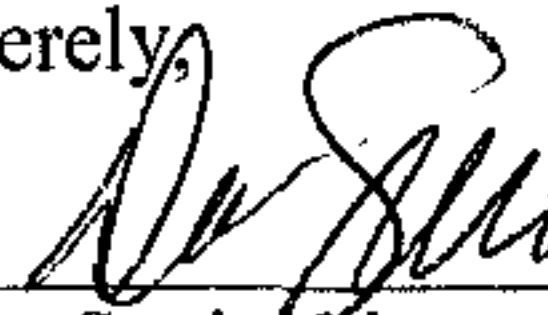
Attention: Mr. George Zahner

Ladies and Gentlemen:

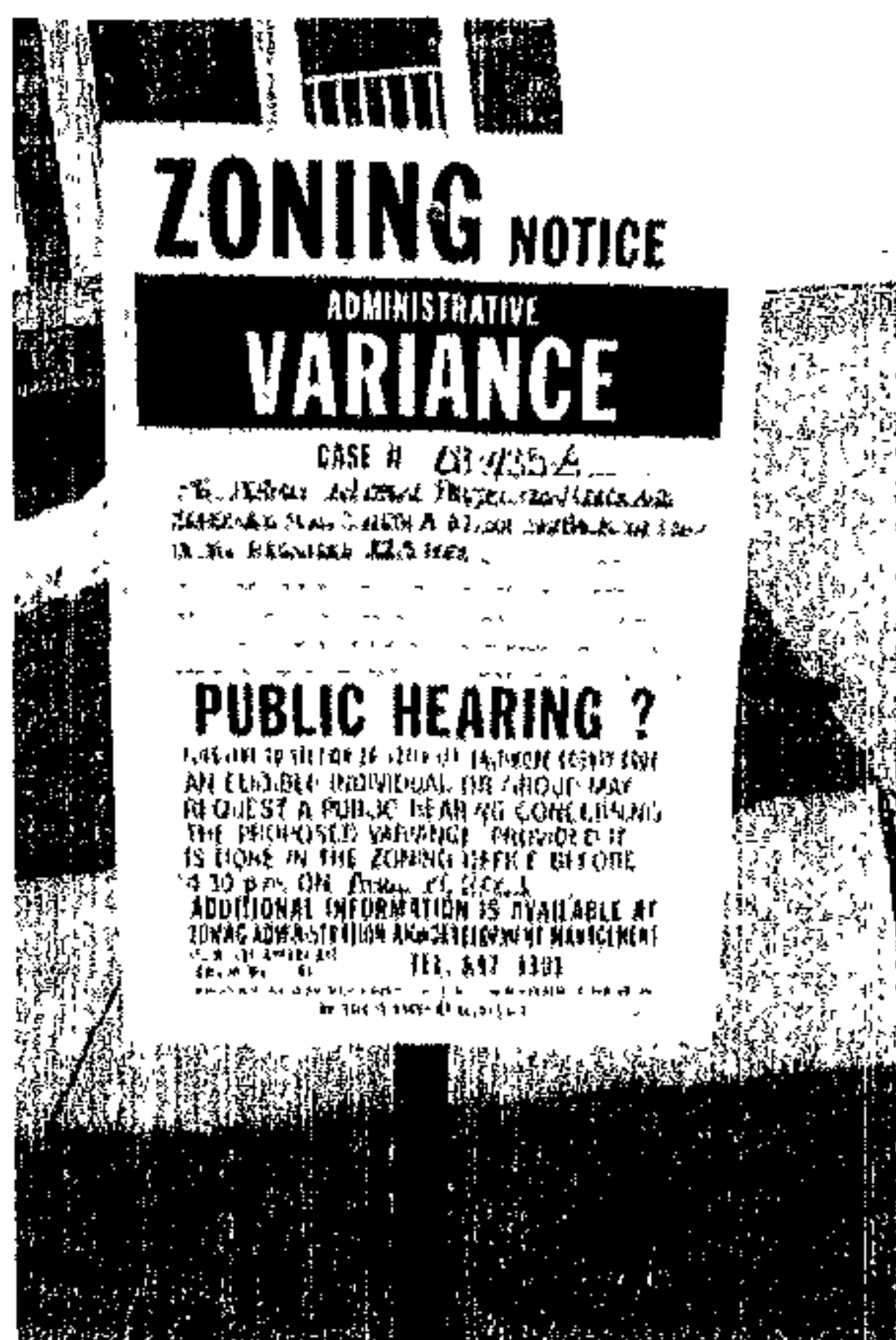
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **7802 Reston Lane**.

The sign(s) were posted on **3/30/03**.

Sincerely,



Diana Sugiuchi
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 435 -A

Address 7802 RESTON LANE

Contact Person: DONNA THOMPSON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3/20/03

Posting Date: 3/30/03

Closing Date: 4/14/03

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.

(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- 435 -A

Address 7802 RESTON LANE, 21237

Petitioner's Name SHECKELS

Telephone _____

Posting Date: 3/30/03

Closing Date: 4/14/03

Wording for Sign: To Permit AN OPEN PROTECTION (DECK AND SCREENED ROOM)

WITH A 10-FOOT SETBACK IN LIEU OF THE REQUIRED 22.5 FEET.



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

April 14, 2003

Mr. Thomas Sheckells
7802 Reston Lane
Rosedale, MD 21237

Dear Mr. Sheckells:

RE: Case Number: 03-435-A, 7802 Reston Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 20, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Melissa Gabinet, 1113 Baldwin Mill Road, Jarrettsville 21084

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on Recycled Paper

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.1.03

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 435 DT

Dear Ms. Hart:

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/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 Phone 410.545.0300 • www.marylandroads.com



**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

April 1, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 31, 2003

Item No.: 431 - ⁴³⁵438, 441 - 444

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.

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-435
Administrative Variance

DATE: April 9, 2003
RECEIVED

APR 10 2003

ZONING COMMISSIONER

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:

Ryan L. Sullivan

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 21, 2003

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

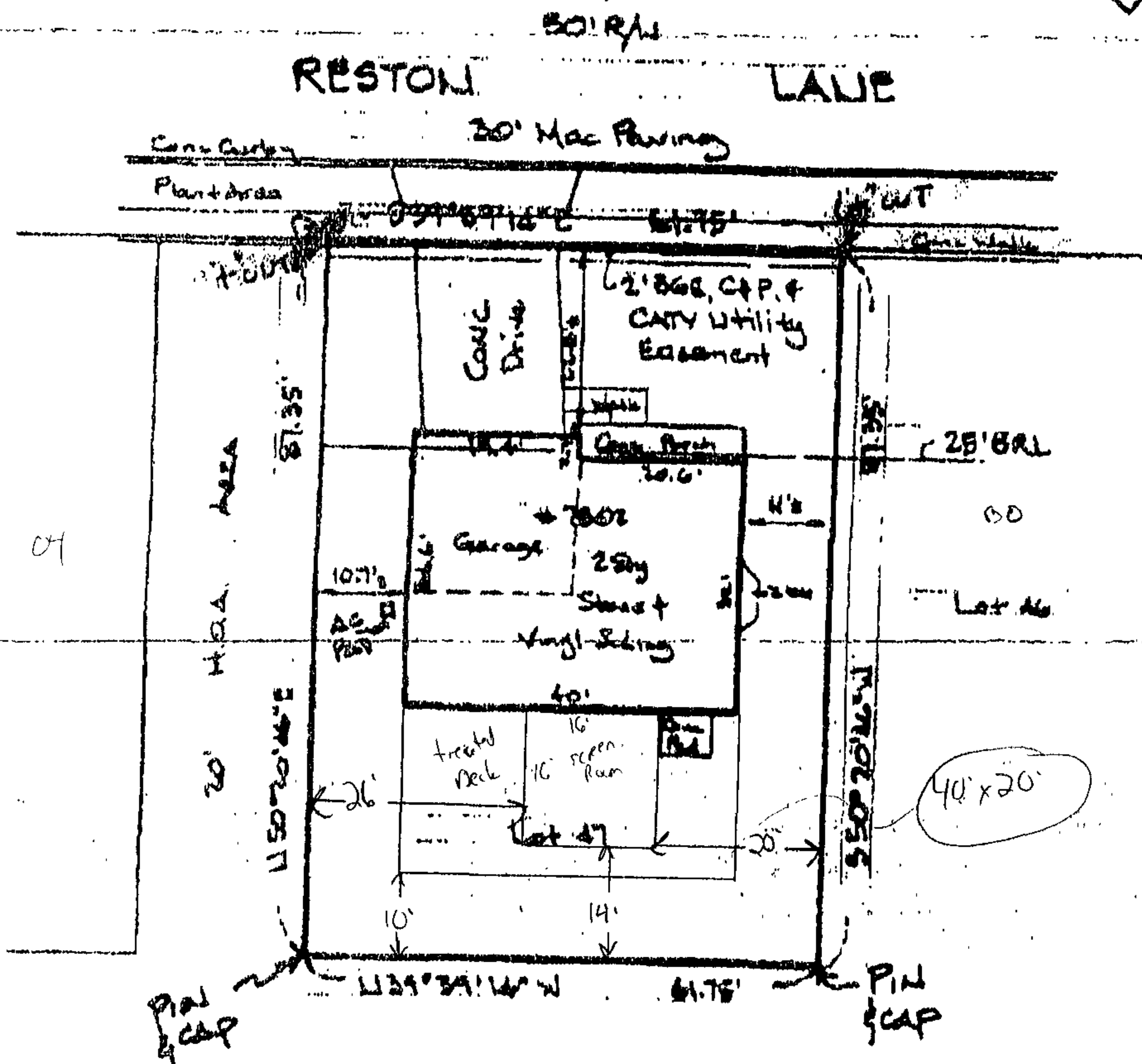
SUBJECT: Zoning Advisory Committee Meeting
For April 7, 2003
Item Nos. 431, 432, 433, 435, 436,
437, 438, 439, 440, 441, 442, 443,
and 444

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

RWB:CEN:jrb

cc: File

BOUNDARY AND LOCATION DRAWING



LOT 47

"Flat 1 of 2, SPRINGHOUSE 'STATION'"
Flat Book 64 68, Folio 62
BALTO. COUNTY, MD.

THE LOT SHOWN HEREON LIES WITHIN ZONE "C" AREA OF MINIMAL FLOODING AS DETERMINED BY FLOOD INSURANCE RATE MAP FOR BALTIMORE COUNTY, MARYLAND PANEL NO. 240010 04308 DATED EFFECTIVE 3/2/81.

THIS IS TO CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE LOT SHOWN HEREON, AND THAT SAID IMPROVEMENTS EXIST.

Henry J. Knell

THE LEVEL OF ACCURACY AND ACCURACY



Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

Telephone: (410) 853-3838
Facsimile: (410) 853-7953



D.R. 5.5

7802 RESTON LANE
NE 7 G
14th Dist

GREENHOUSES

PRIVATE ROAD

D.R. 5.5

PRIVATE

BABIKOW

SHIRLEYBROOK

AVE.

RESTON LANE

E 37,500

ITEM #435

E 39,000

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9802 Reston Ln

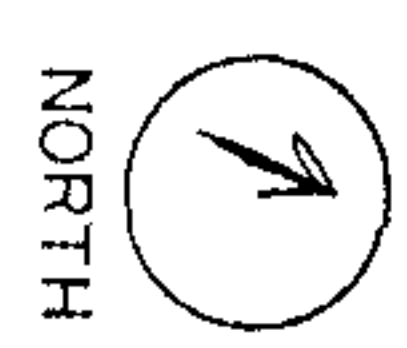
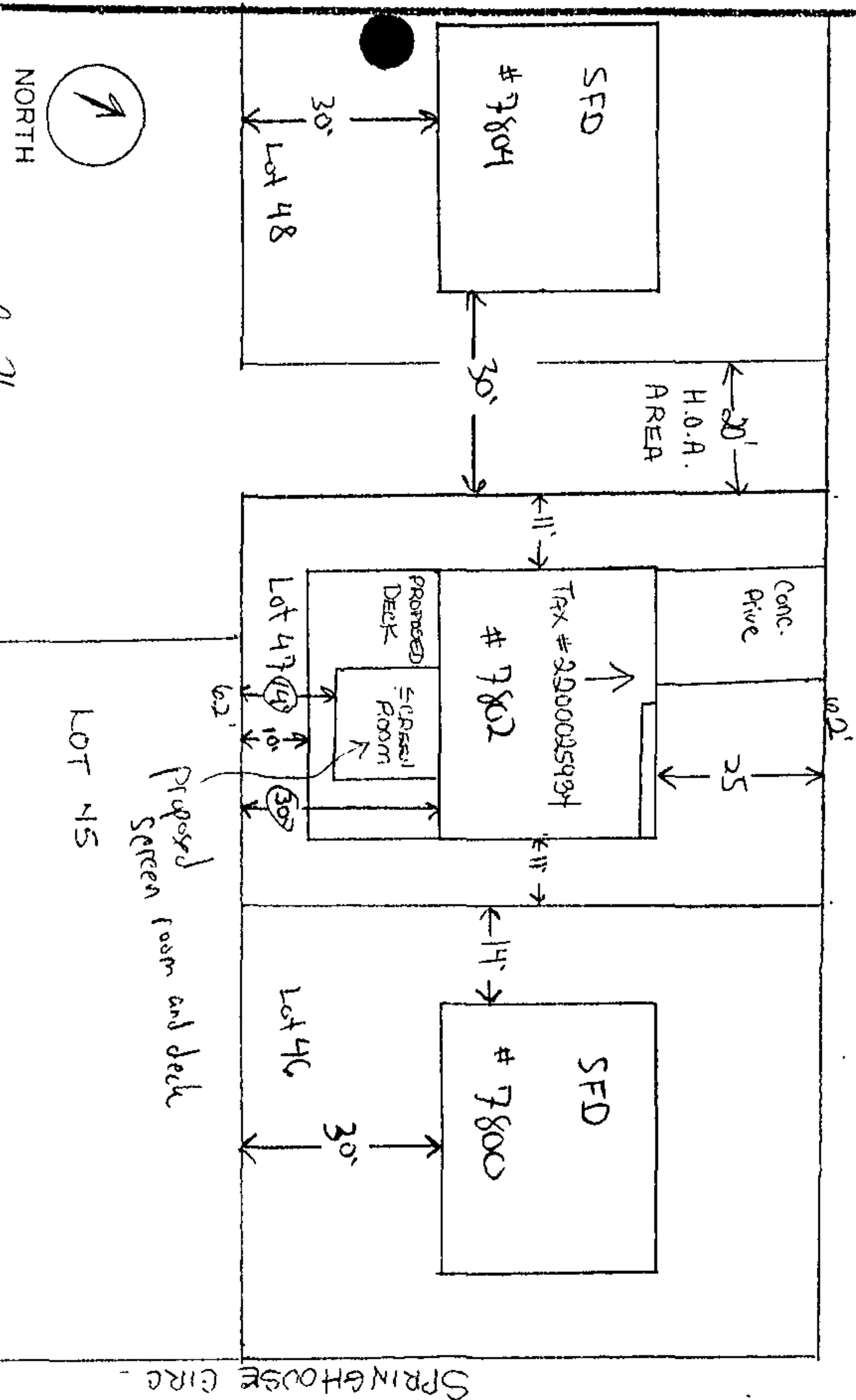
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Spring house STATION

PLAT BOOK # 68 FOLIO # 62 LOT # 49 SECTION #

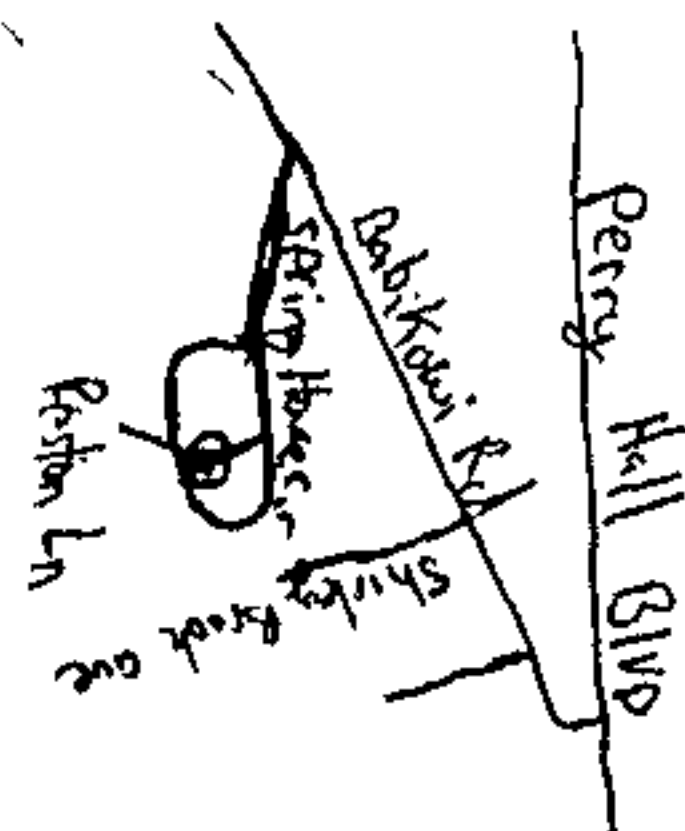
OWNER Mr. Tom Sheckells

Reston Lane (50' R/W)



PREPARED BY J. H.

SCALE OF DRAWING: 1" = 30'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # NE 7 G

ZONING D.R. 5.5

LOT SIZE 5394 SQUARE FEET

ACREAGE 0.123

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

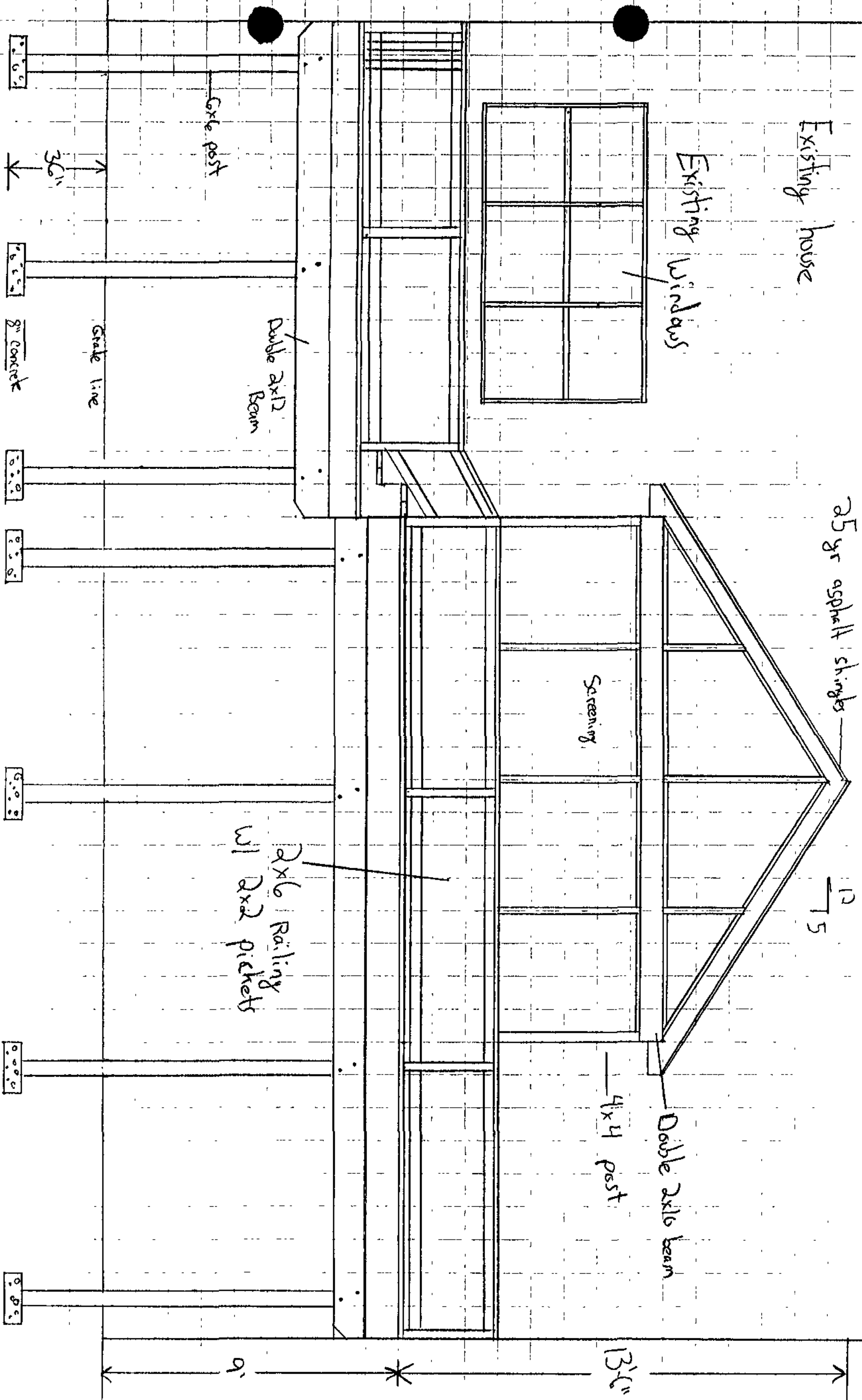
HISTORIC PROPERTY/ BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D. THOMPSON 435 03-435-A

Residence



03-705-4

Sheckells Residence

Existing House

Existing sliding door

Radius Steps

Lower Deck
2 steps down

2x6 treated decking

Steps

Double Screen Doors

Cathedral Ceiling

4x4 post

Sheet 1x1
3/4" treated plywood
then set bluestone
pad

16'

4'0"

9'

4'

6'

20'

08-435-A

Scale - 1/4" = 1'

Sheckells Residence

Existing house

Double 2x12 beam

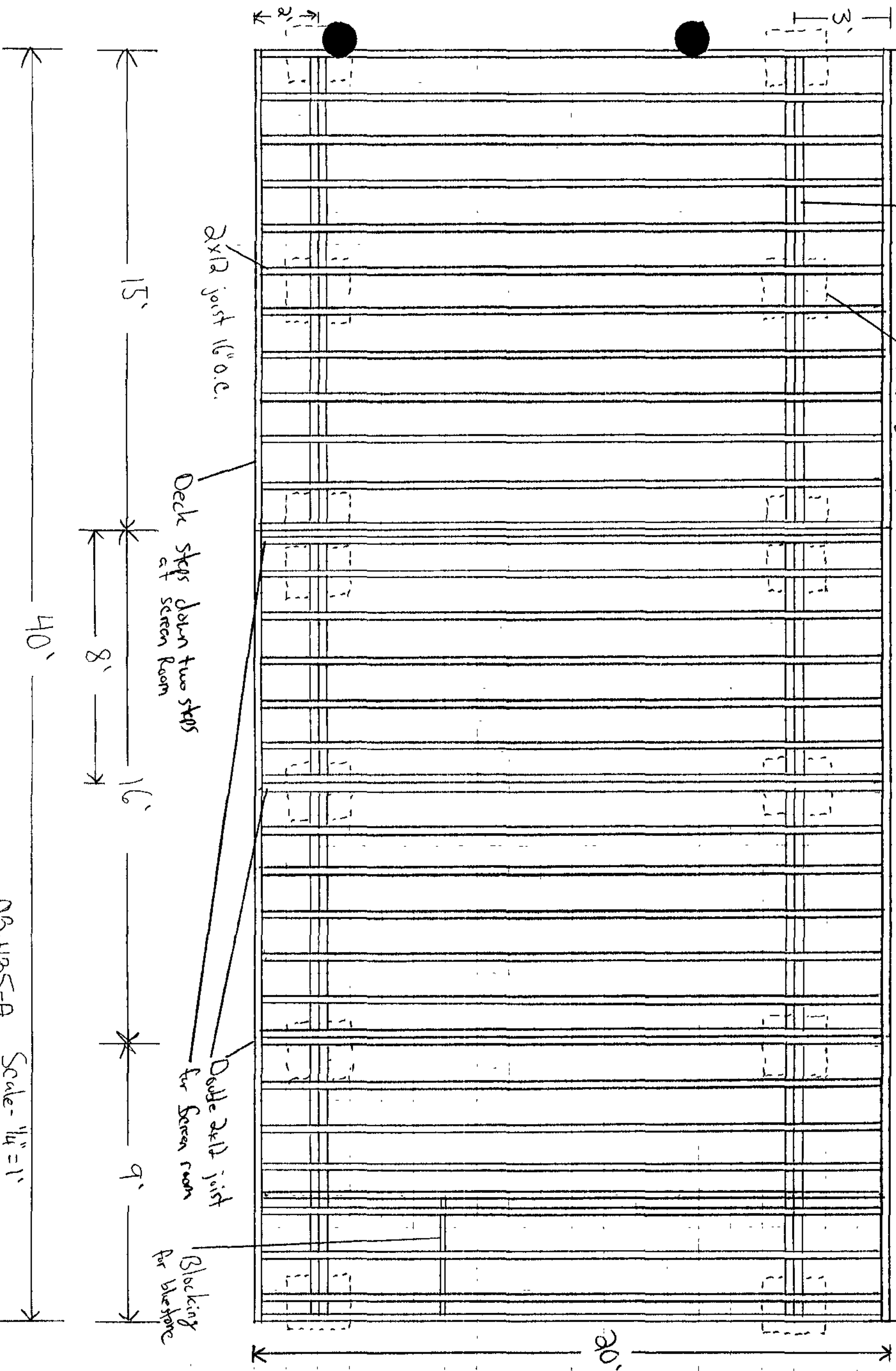
18" x 18" Footing
Minimum 30" Deep

2x12 joist 16" o.c.

Deck steps down two steps
at screen room

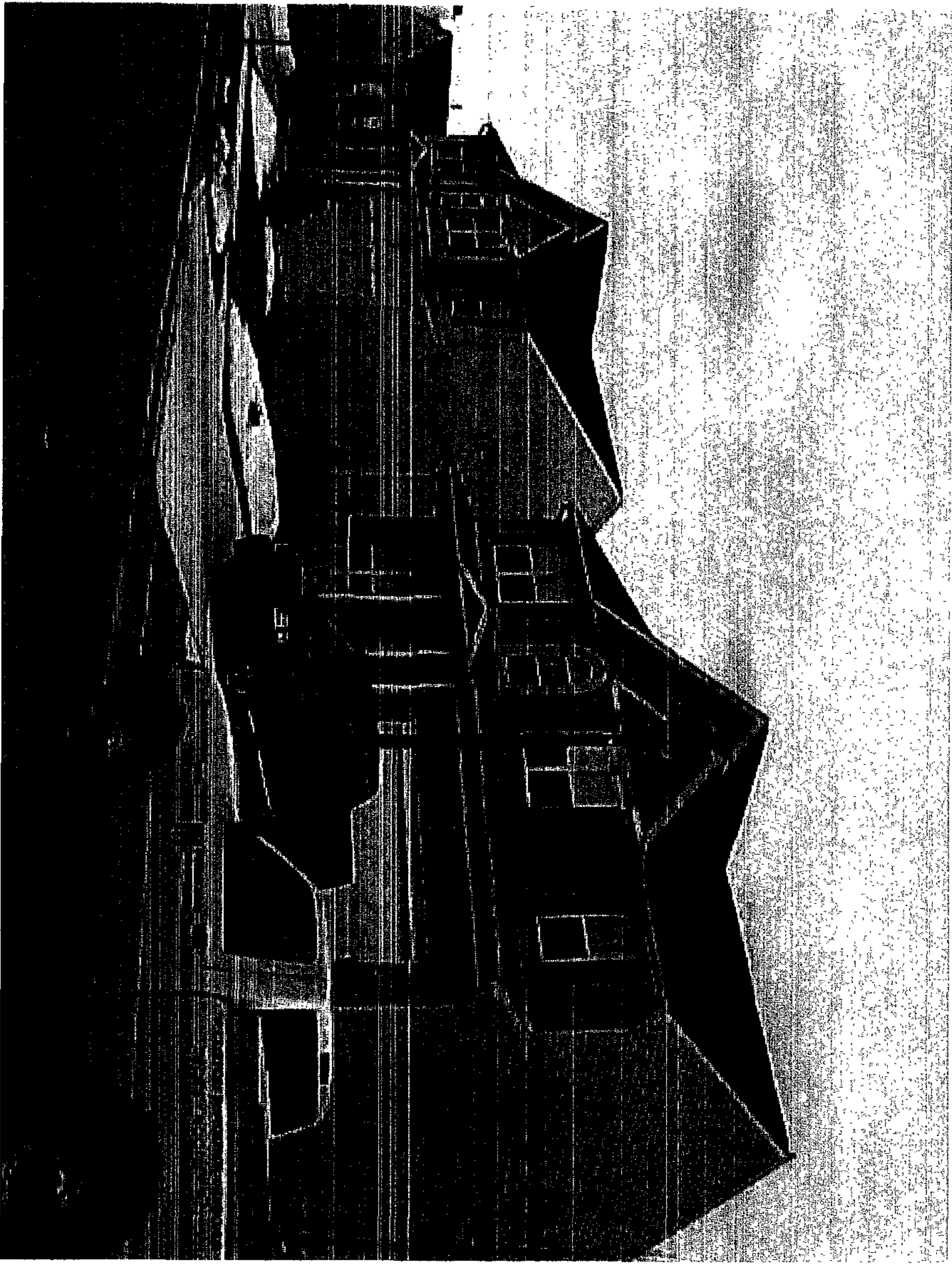
Double 2x12 joist
for screen room

Blocking
for blueprints

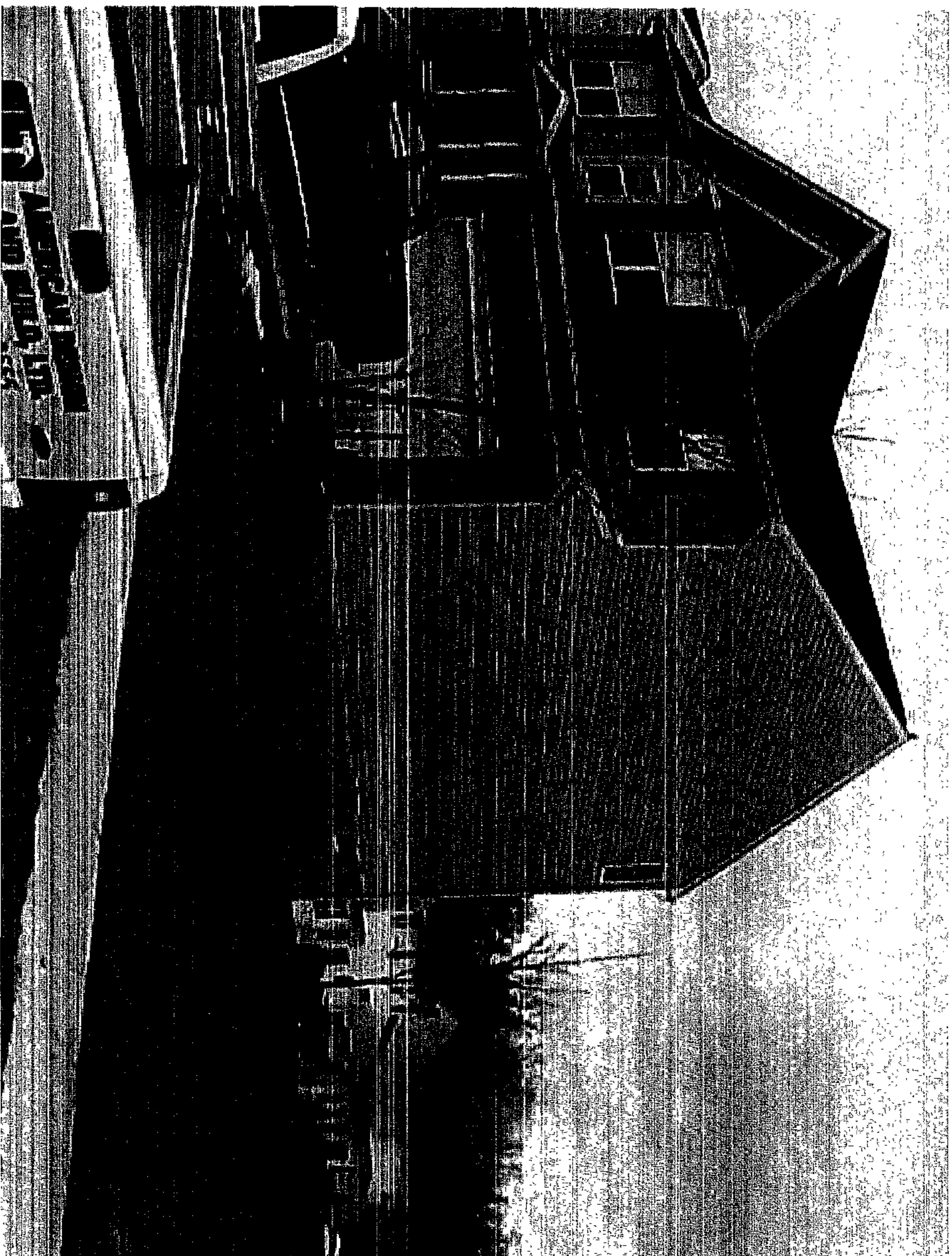




03-435-A



03-435-A



08-435-A

08-435-A

