IN RE: PETITION FOR ADMIN. VARIANCE
NE/S Jamieson Road, 120' NW
of Tallwood Road

8th Election District

2nd Councilmanic District

(821 Jamieson Road)

Doreen & Ronald Ercolano Petitioners BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 03-450-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, Doreen and Ronald Ercolano. The variance request is for property located at 821 Jamieson Road in the Lutherville area of Baltimore County. The variance request is from Sections 1B02.3.B and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit additions with rear yard setbacks of 19.6 ft. and 29 ft. in lieu of the required setbacks of 30 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

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

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

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

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 <u>33</u> day of April, 2003, that a variance from Sections 1B02.3.B and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit additions with rear yard setbacks of 19.6 ft. and 29 ft. in lieu of the required setbacks of 30 ft. respectively, 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.

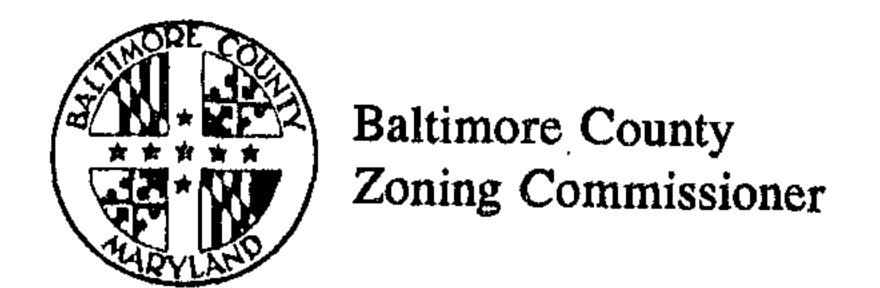
IMOTHY'M. KOTROCO

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 23, 2003

Mr. & Mrs. Ronald Ercolano 821 Jamieson Road Lutherville, Maryland 21093

Re: Petition for Administrative Variance

Case No. 03-450-A

Property: 821 Jamieson Road

Dear Mr. & Mrs. Ercolano:

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 M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



### Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at  $\frac{82!}{JAMIESON}$  RO which is presently zoned  $\frac{DR3.5}{}$ 

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) 1802.3.8 BCZR AND 301.1 BCZR TO PERMIT AN ADDITIONS WITH A REAR YARD SETBACKS OF 19'6" AND 29' IN LIEU OF THE REQUIRED SETBACK OF 30' RESPECTIVELY.

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 subject of this Pe	e legal owner(s) of tetition.	he property which
Contract Purchaser/L.	essee:		Legal Owner(s):		
Name - Type or Print	<del> </del>		RONALD M. Name - Type or Print,	ERCOLAN	/0
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			Signature DOREEN E.	TEAR ALANG	••
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City	State	Zip Code	Signature (	- GUALUM	<del></del>
Attorney For Petitione	<u>r:</u>		821 JAM16	=50N RD	410-828-00
			Address		Telephone No.
Varne - Type or Print			COTHENVILLE	M12	21093
			City	State	Zip Code
Signature		<del></del>	Representative to	be Contacted:	
Company			Name		<del></del>
Address	<del></del>	Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been this day of regulations of Baltimore County a	formally demande that and that the property	d and/or found to be the subject matter of t be reposted	required, it is ordered by the his petition be set for a public h	Zoning Commissioner earing, advertised, as	r of Baltimore County, required by the zoning
7-2			Zoning Commis	sioner of Baltimore Cວເ	unty
CASE NO. <u>03-4</u>	450-A	Rev	iewed By JRF	Date <u>3 -</u> :	28-03
REV 10/25/01		Est	mated Posting Date	4-6-03	
REV 10/25/01					

# 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	821 JAMIESO	N ROAD	·*····································
	LUTHER VILLE City	MD State	て ( 0 9 3 Zip Code
That based upon personal knowledge, the follow			
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HOME THAT 15 BECOMING			
THE CARPORT 15 REQU	ESTED TO PRO	TECT U5	From
THE WEATHER WHILE	ENTERNG	OR LEAVIN	16 THE
HOUSE.			
			^
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affian additional information.	t(s) will be required to	pay a reposting and
		4/9//	/
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Signature	Signature		,
Name - Type or Print	Name - Type o		ANO
CTATE OF MARYLAND COUNTY OF DALTIN		~	
STATE OF MARYLAND, COUNTY OF BALTIN	•		tones Destrictes and the Ottobac
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per			tary Public of the State
Ronald M Ercolano	and Dorcen E	. Ercolano	**************************************
the Affiant(s) herein, personally known or satisfa	actorily identified to me as suc	h Affiant(s).	
AS WITNESS my hand and Notarial Seal	promety.		
		<i>(</i>	. /
,	Notary Public	Wight o	)// // 03 A VAIICHT
	My Commission Exp	WAY TARY DURING	A. WIGHT STATE OF MARYLAND Court September 21, 2004
		MA COUNTRIBUTION DA	

REV 10/25/01

# Affidavit in Support of Administrative Variance

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compositio to the file community the community the p	vanic nearing is	sonequied in	i ille luture with regal	u triereto.
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	LUTHER	VICLE	MO	7109
	City		State	Zip Code
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THE WEATHER WHILE	ENTE	FRING	or LEAV	NG THE
HOUSE.				
That the Affiant(s) acknowledge(s) that if a fo	ormal demand	is filed, Affia	nt(s) will be require	d to pay a reposting and
advertising fee and may be required to provide	additional inforr	nation.		7/
			4/W	<i>/                                    </i>
Rosald M. Endones		Vollee	u ( . Ca	dau)
Signature		Signature		
RONALD M. ERCOLANO		DORE	EN E. ERC	SLANO
Name - Type or Print	<del></del>	Name - Type		
				<b> </b>
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:			
I HEREBY CERTIFY, this 17 day of 16 day of 17 day of 18 day of 17 day of 17 day of 18	rsonally appea	red , 20	before me, a	Notary Public of the State
Ronald M Ercolan	o and	Doge	n & Crcal	<b>2</b> 0.0
the Affiant(s) herein, personally known or satisfa	actorily identifie	d to me as su	ch Affiant(s).	
AS WITNESS my hand and Notarial Seal				

Notary Public

My Commission Expires

LISA A. WIGHT UBLIC STATE OF MARYLAND My Commission Expires September 21, 2004

REV 10/25/01



## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at  $\frac{82!}{JAM!ESON}$  RO which is presently zoned  $\frac{DR3.5}{}$ 

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) 1BO2.3.B BCZR AND 301.1 BCZR TO PERMIT AN ADDITIONS WITH A REAR YARD SETBACKS OF 19'6" AND 29' IN LIEU OF THE REQUIRED SETBACK OF 30' RESPECTIVELY.

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 to the subject of this F	the legal owner(s) of Petition.	the property which
Contract Purc	haser/Lessee:		<u>Legal Owner(s):</u>		
Name - Type or Print		<del></del>	RONALD M Name - Type or Print Rosseld	1. ERCOLAN	
Signature		······································	Signature	······································	······································
Address		Telephone No	Name - Type or Print	Thermy)	<u> </u>
City	State	Zip Code		- July Carles	
Attorney For F	Petitioner:		821 Jami	ESON RD	410 -828-000 Telephone No.
			LUTHENVILLE	MD	21093
Name - Type or Print	······································	· · · · · · · · · · · · · · · · · · ·	City	State	Zip Code
Signature	<del></del>	<del></del>	Representative t	o be Contacted:	
Company		<del></del>	Name	<del>- 14</del>	<del></del>
Address	<del>,</del>	Telephone No.	Address		Telephone No
City	State	Zip Code	City	State	Zip Code
A Public Hearing ha	aving been formally demand	led and/or found	to be required, it is ordered by the of this petition be set for a public	e Zoning Commissione	er of Baltimore County,
	ore County and that the proper	ty be reposted	or or this polition be sector a public	nearing, advertised, as	regared by the zoning
			Zoning Commi	issioner of Baltimore Co	ounty
CASE NO.	03-450-A		Reviewed By JR=	Date _ろへ	28-03
REV 10/25/01			Estimated Posting Date	4-6-03	······································

# EAAIVIPLE & Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - <u>DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"</u>. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the

ZONING DESCRIPTION FOR SAI Jamieson Road (address)
Beginning at a point on the
as recorded in Baltimore County Plat Book # 30 (name of subdivision)  containing 10,646 (square feet or acres)  Also known as 52/ Jamicson Rl  (property address)  and located in the Election District, Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_, Folio \_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

# 450

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DISTRIBUTION

WHITE - CASHIER

No. 23146

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FROM: P21 Januason Do. ITEM + 450

FOR: VARIANCE Taken by: Jee

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UK NO. 023146
RECEIP TOT \$65.00

Baltimore County, Maryland

**CASHIER'S VALIDATION** 

.00 CK 65,00 Cn

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PINK - AGENCY

### CERTIFICATE OF POSTING

•	RE: Case No.: <u>03-450-A</u>
	Petitioner/Developer:
	Ronald Ercolano
	Date of Hearing/Closing: 4-21-03
Baltimore County Department of Permits and Development Managem County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	ent
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the pr Luther ville, MD 21093	alties of perjury that the necessary sign(s) required by law operty located at 821 Jamieson Rd.
ZONIC'S NOTICE  VARIABLE MARINE  SALES OF THE SALES OF THE SALES  SALE	Month, Day, Year)  Sincerely,  Signature of Sign Poster and Date)  Stacy Gardner  SHANNON-BAUM SIGNS INC.  105 COMPETITIVE GOALS DR. ELDERSBURG, MD. 21784

### 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.

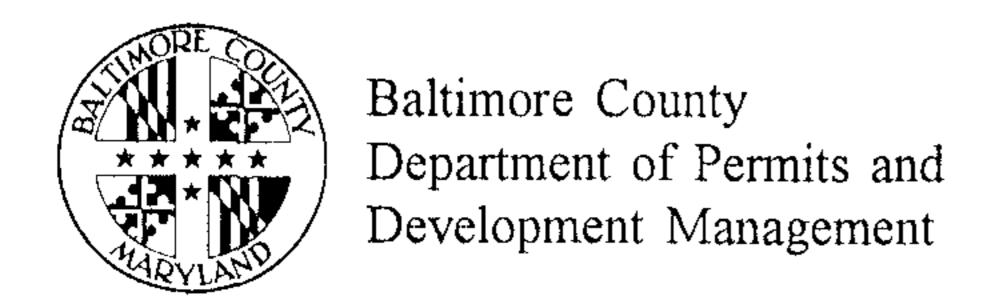
For Newspaper Advertising:	
Item Number or Case Number: <u>03 - 450 - A</u> Petitioner: Ronato M. Encolano	
Address or Location: 821 JAMIESON RD	<del></del>
LUTHERVILLE MD 21093	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: RONALD ERCOLANO	<del></del>
Address: 821 JAMIESON 2D	
LUTITERVILLE MD 21093	
Telephone Number:	

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 450 | -A

Address 821 JAMIESON RD.

Conta	act Pers	son: _	JUN	Planner Plu	SENAND C	<u>C</u> C	<del></del> · · · · · · · · · · · · · · · · · ·	F	<sup>2</sup> hone Number.	410-887-3391
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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 21, 2003

Ronald Ercoland
Doreen Ercoland
821 Jamieson Road
Lutherville, MD 21093

Dear Mr. and Mrs. Ercoland:

RE: Case Number: 03-450-A, 821 Jamieson Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 28, 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

U. Callabal D

WCR:klm

Enclosures

c: People's Counsel



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 08, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 7, 2003

Item No.: 445-455

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



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

JRF

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.8.03

Baltimore County

Item No. 450

RE:

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

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,

L. L. McDonald Jr., Chief Engineering Access Permits Division

#### 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) 03-450 - 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

RECEIVED

APR

**DATE:** April 7, 2003

9 2003

ZONING COMMISSIONER

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** April 28, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

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

Review

SUBJECT:

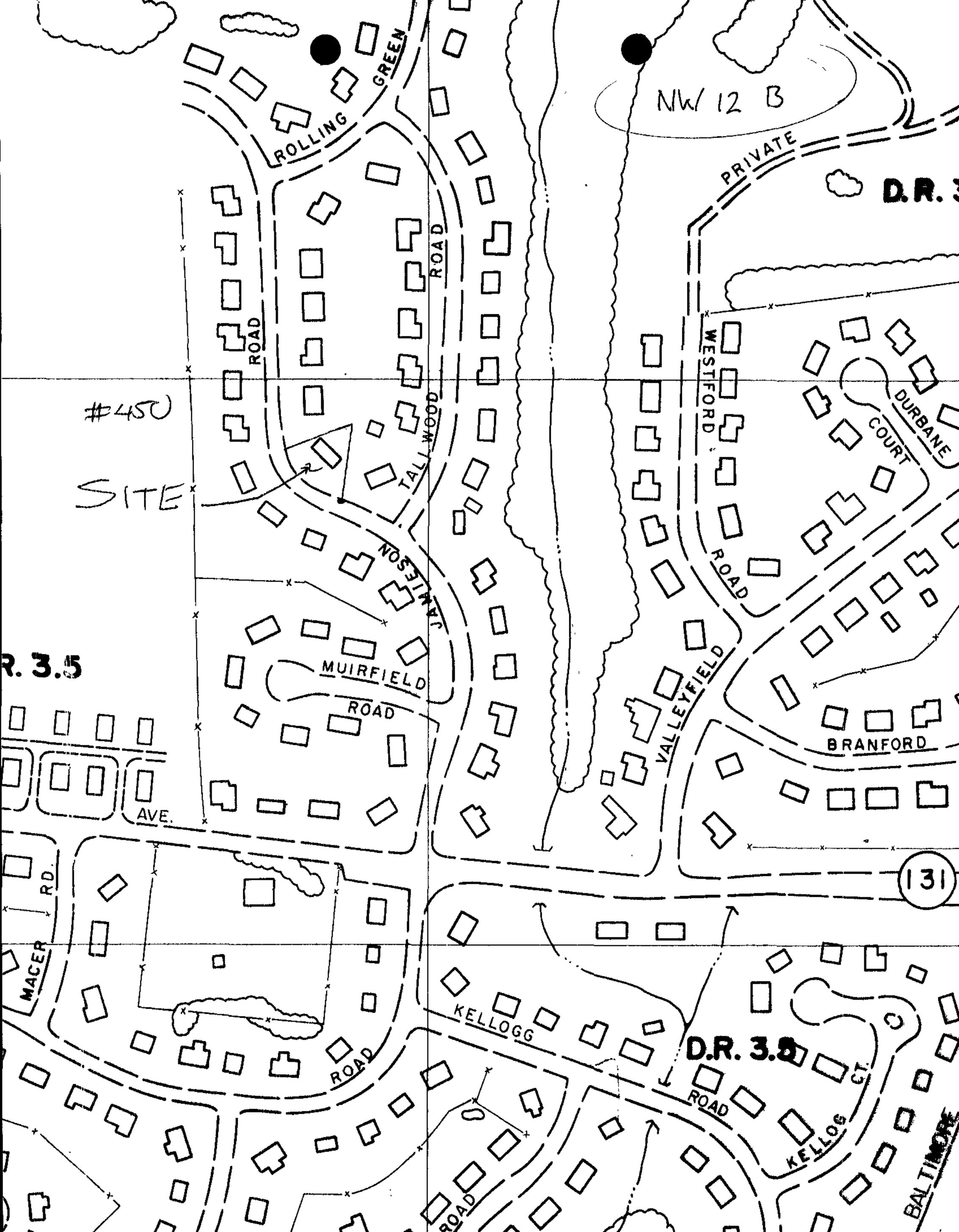
Zoning Advisory Committee Meeting

For April 14, 2003 Item Nos. 399, 446, 448, 450, 452, 453, 454, and 455

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

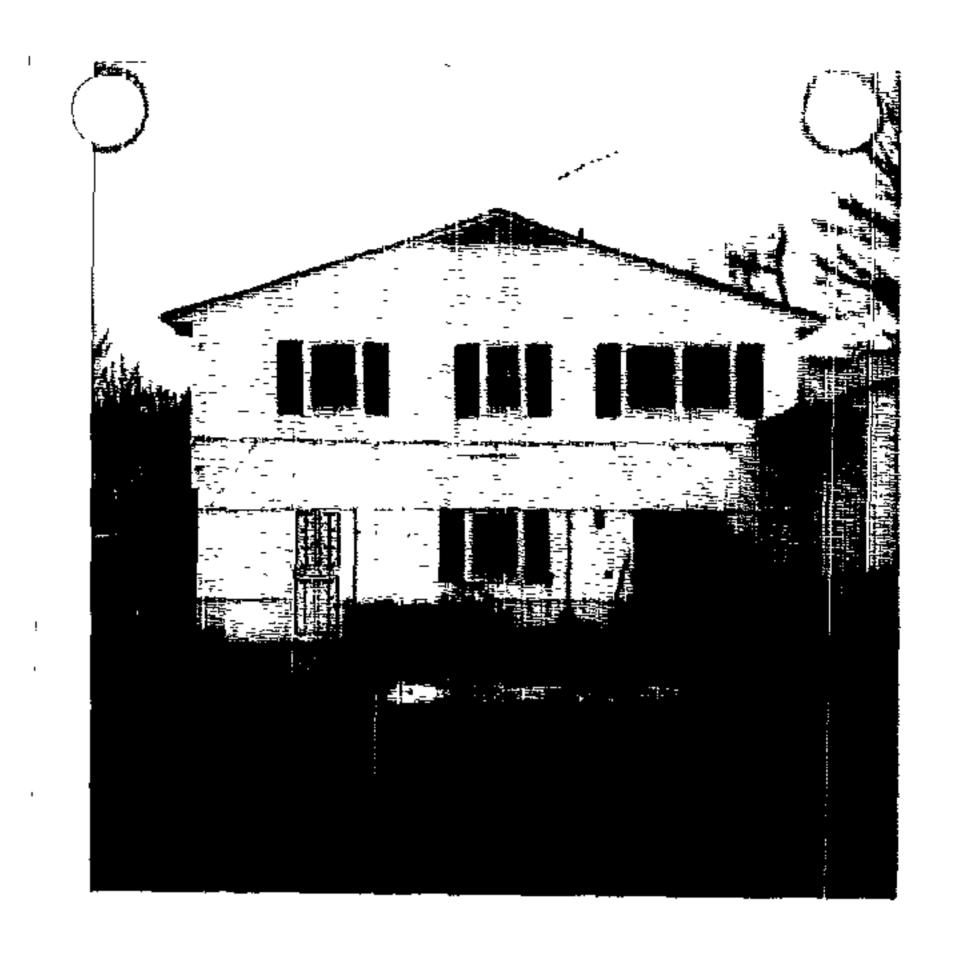
RWB:CEN:jrb

cc: File

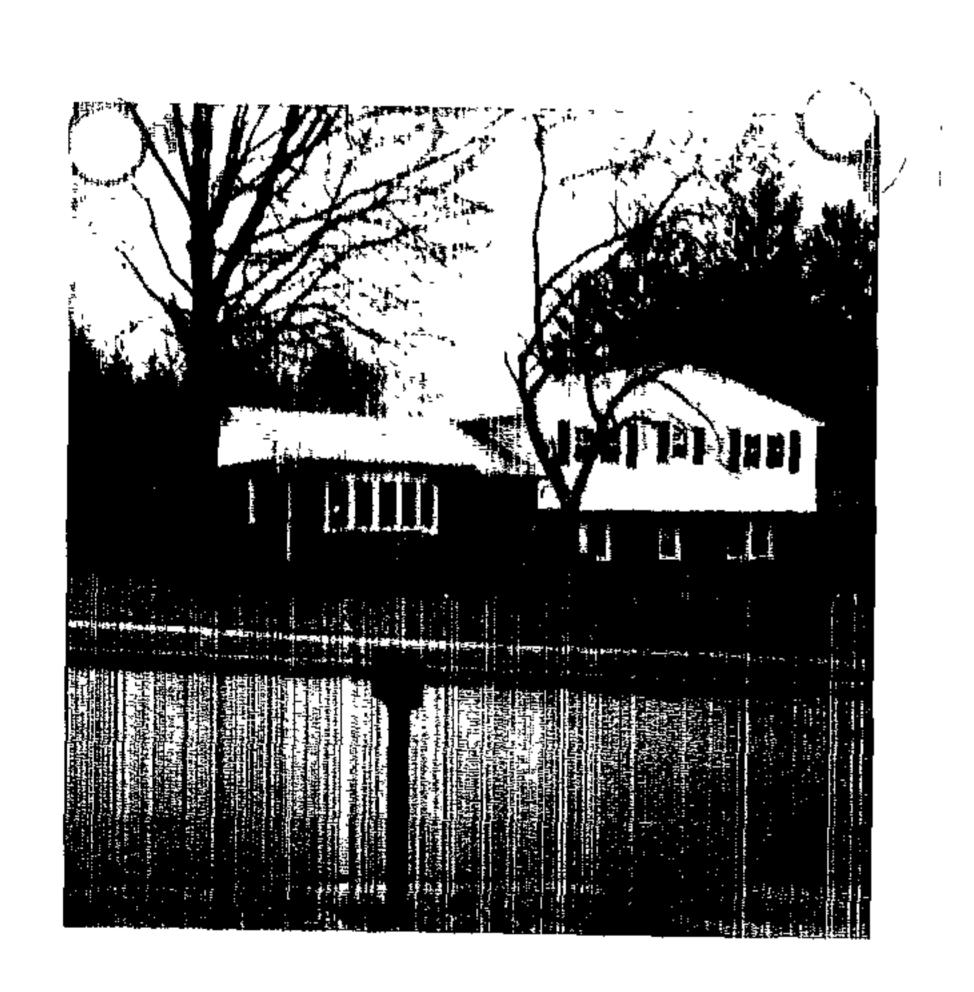




REAR VIEW



REAR VIEW




FRONT VIEW



SOUTH SIDE VIEW



NORTH SIDE VIEW



•