

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Michaelsford Road, 1,074' E
centerline of Katesford Road
8th Election District
3rd Councilmanic District
(12315 Michaelsford Road)

Connie & Keith Rice
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-493-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Connie and Keith Rice. The variance request is for property located at 12315 Michaelsford Road in the Cockeysville area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations, to allow a rear yard setback of 47 ft. in lieu of the minimum required 50 ft. for a proposed addition. 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 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

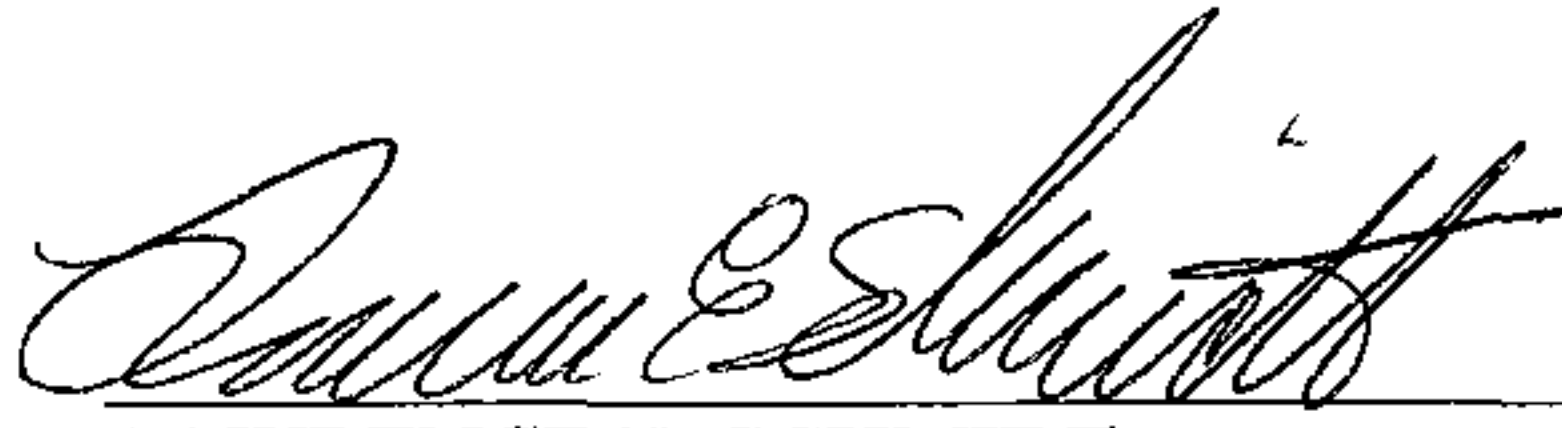
5/21/03
J. J. Jernigan

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 Zoning Commissioner for Baltimore County, this 21st day of May, 2003, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations, to allow a rear yard setback of 47 ft. in lieu of the minimum required 50 ft. for a proposed addition, 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.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

5/21/03
R. Jameson



Baltimore County
Zoning Commissioner

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

May 21, 2003

Mr. & Mrs. Keith Rice
12315 Michaelsford Road
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 03-493-A
Property: 12315 Michaelsford Road

Dear Mr. & Mrs. Rice:

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, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES: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 12315 Michaels Ford Rd.
which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.2

To allow a rear yard setback of 47 ft. for a proposed addition in lieu of the minimum required 50 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Keith Rice

Name - Type or Print

Signature

Connie Rice

Name - Type or Print

Signature

12315 Michaelsford Rd 410-252-5991

Address

Telephone No

Cockeysville

City

MD

State

21030

Zip Code

Representative to be Contacted:

Melissa Gabinet American Design+Build

Name

221 Gateway Dr. 410-557-0555

Address

Telephone No

Bel Air

City

MD

State

21014

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 10/25/01 day of October, 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. 03-493-A

REV-10/25/01

Reviewed By [Signature] Date 4-21-03

Estimated Posting Date 5-04-03

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 12315 Michaelsford Rd
Address
Cockeysville MD 21030
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 22'x22' and 9'x13'6" addition on rear of home. Because the existing SFD was constructed 35' from the front setback line, the new addition will encroach the rear setback line.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
Keith K. Rice
Name - Type or Print

[Signature]
Signature
Connie L. Rice
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of April, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

[Signature]
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 12315 Michaelsford Rd.
Address
Cockeysville MD 21030
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.

* Keith R. Rice
Signature

Keith R. Rice
Name - Type or Print

* Connie L. Rice
Signature

Connie L. Rice
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7th day of April, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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 STATE OF MARYLAND
My Commission Expires July 23, 2003
Notary Public

My Commission Expires 7-23-03



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12315 Michaelsford Rd.

which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3 B2

To allow a rear yard setback of 47 ft. for a proposed addition in lieu of the minimum required 50 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

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:

12315 Michaelsford Rd. 410-252-5991

Address

Telephone No.

Name - Type or Print

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 _____ 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. 03-493-A

Reviewed By [Signature] Date 4-21-03

REV 10/25/01

Estimated Posting Date 5-04-03

ZONING DESCRIPTION FOR 12315 Michaelsford Road

Beginning at a point on the ~~Northwest~~ ^{East} side of Michaelsford Rd. which is 24 feet wide
at the distance of ~~1023~~ ^{1024' N. East} North of the centerline of the nearest improved intersecting
street Katesford Road which is 25 feet wide. Being Lot # 16, Section #I in the
subdivision of Laurelford as recorded in Baltimore County Plat Book #57, containing
1.01 acres. Also known as 12315 Michaelsford Rd. and located in the 8th Election
1.02 District.

493

COUNTY, MARYLAND

BUDGET & FINANCE
DEPARTMENT
RECEIPT

(Inv. No. 23630

03-1193-17

21-03

ACCOUNT

R-101-006 611

AMOUNT \$

65.00

7/21/03, 10:00 AM, Design & Build, 1.71

10:10 AM, 1.71

1.12/15, 1.16/15, 1.17/15

PINK - AGENCY

YELLOW - CUSTOMER

DATE RECEIVED

TIME RECEIVED

RECEIVED BY

DATE RECEIVED

TIME RECEIVED

RECEIVED BY

DATE RECEIVED

TIME RECEIVED

RECEIVED BY

DATE RECEIVED

TIME RECEIVED

RECEIVED BY

CASHIER'S VAL

CERTIFICATE OF POSTING

RE: Case No. **03-493-A**
Petitioner/Developer:
Keith and Constance Rice
Closing Date: **5/19/03**

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

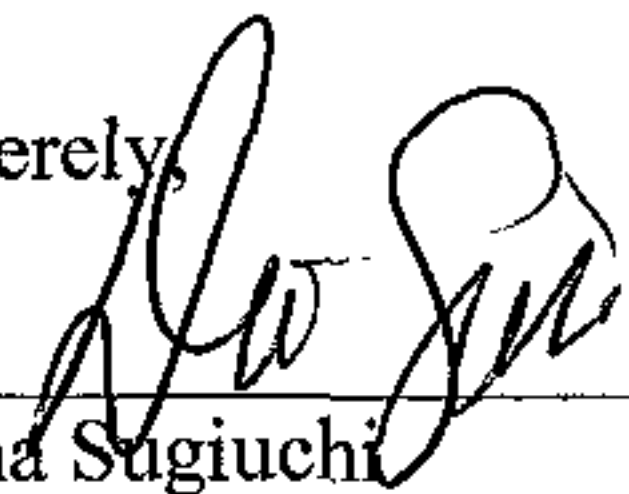
Attention: Mr. George Zahner

Ladies and Gentlemen:

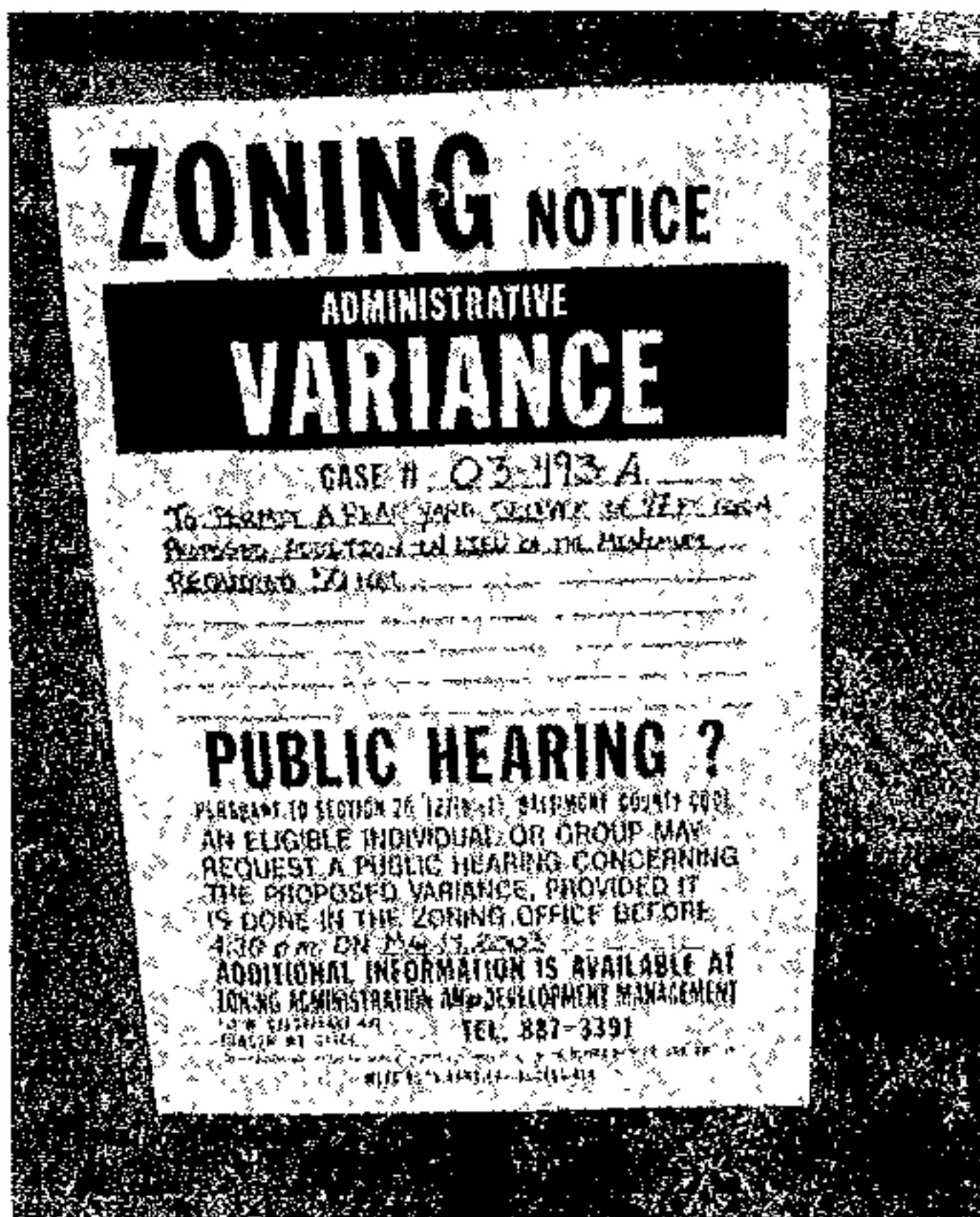
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **12315 Michaelsford Rd.**

The sign(s) were posted on **5/4/03**.

Sincerely,



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



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 03-493-A
Petitioner: Keith & Constance Rice
Address or Location: 12315 Michaels Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same → Melissa Gabinet, Proj. mgr.
Address: American Design + Build, LTD
221 Gateway Dr.
Bel Air, Md. 21014
Telephone Number: 410-557-0355

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 493 -A

Address 12315 Michaelsford Rd.

Contact Person: John Sullivan

Planner Please Print Your Name

Phone Number 410-887-3391

Filing Date: 4-21-03

Posting Date: 5-04-03

Closing Date: 5-19-03

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.

DO NOT SIGN BELOW

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 493 -A

Address 12315 Michaelsford Rd.

Petitioner's Name Jo Keith & Constance Rile Telephone _____

Posting Date: 5-04-03

Closing Date: 5-19-03

wording for Sign. To Permit a rear yard setback of 47 ft for a
proposed addition in lieu of the minimum required 50 ft



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 19, 2003

Keith Rice
Connie Rice
12315 Michaelsford Road
Cockeysville MD 21030

Dear Mr. and Mrs. Rice:

RE: Case Number: 03-493-A, 12315 Michaelsford Road

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

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Melissa Gabinet, American Design & Build, 221 Gateway Drive, Bel Air MD 21014

Visit the County's Website at www.baltimorecountyonline.info



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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: 5.1.03

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

RE: Baltimore County
Item No. 493 JJS

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 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 28, 2003

Item No.: 478-480, 483-487, 489-490, 492-495

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

RECEIVED
MAY 1, 2003

MAY - 2 2003

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-493 – 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:

Lynn Johnson

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 6, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For May 5, 2003
Item Nos. 479, 480, 485, 486, 487, 488,
490, 492, 493, 494, and 495

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

RWB:CEN:jrb

cc: File

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

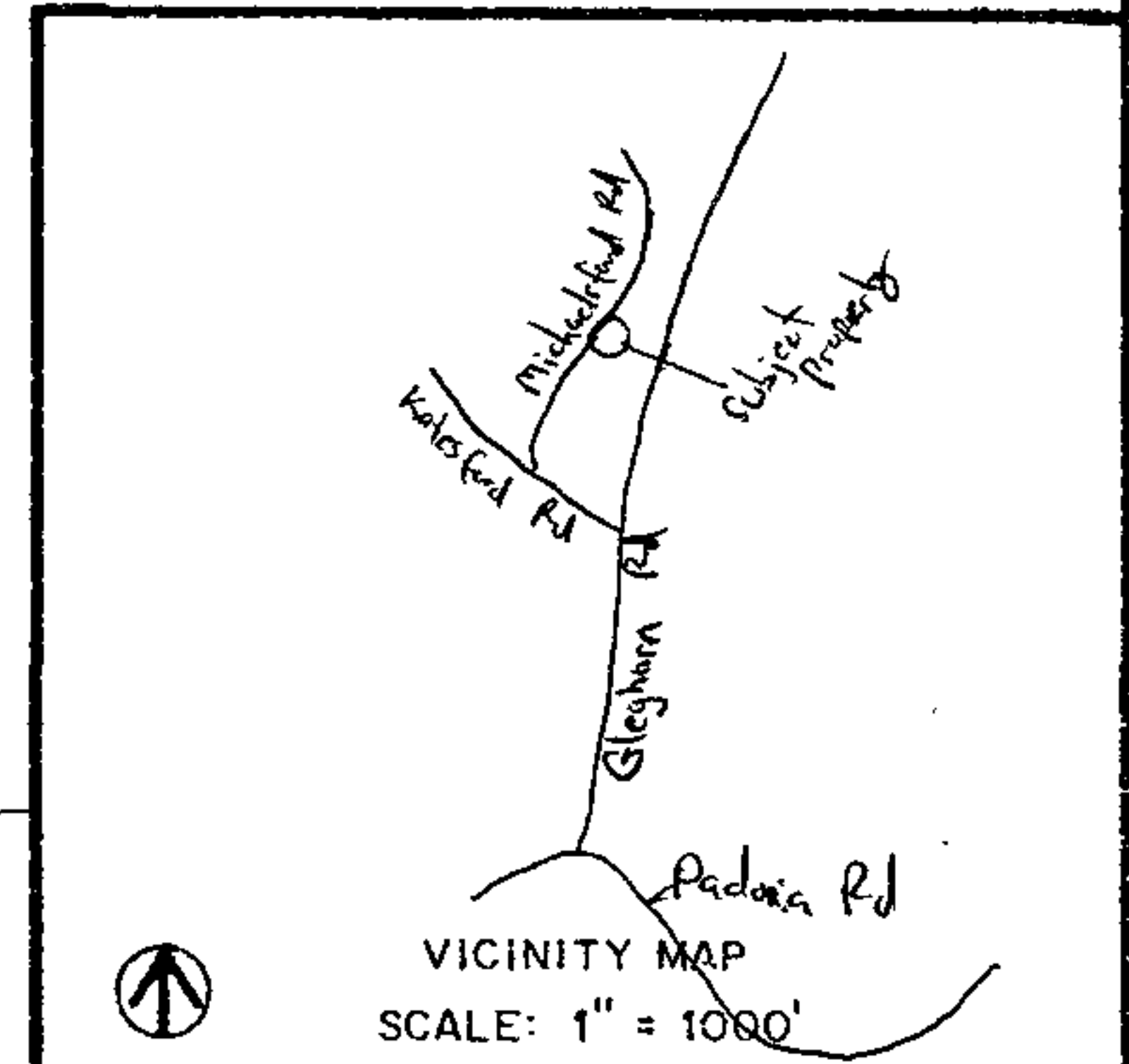
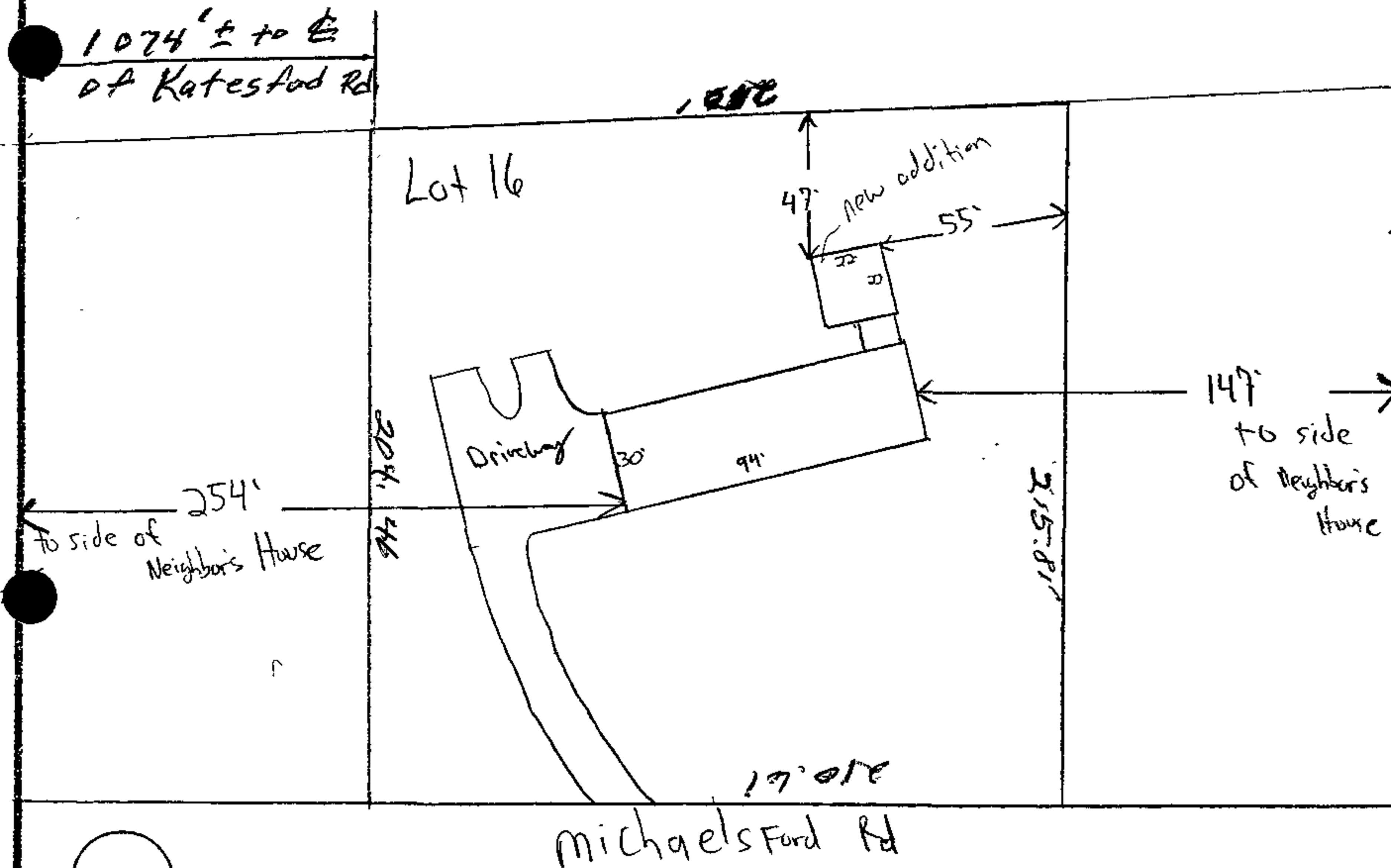
PROPERTY ADDRESS 12315 Michaelsford Road

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

SUBDIVISION NAME Laurel Ford

PLAT BOOK # 57 FOLIO # 106 LOT # 16 SECTION # 1

OWNER Mr. Keith Rice



LOCATION INFORMATION

ELECTION DISTRICT 8

COUNCILMANIC DISTRICT 3rd

1" = 200' SCALE MAP # NW 1/4 16-C

ZONING RC-5

LOT SIZE 1.01 43,996

ACREAGE SQUARE FEET

	PUBLIC	PRIVATE	YES	NO
SEWER	☐	☒	☐	☒
WATER	☐	☒	☐	☒
CHESAPEAKE BAY CRITICAL AREA			☐	☒
100 YEAR FLOOD PLAIN			☐	☒
HISTORIC PROPERTY/BUILDING			☐	☒
PRIOR ZONING HEARING				

ZONING OFFICE USE ONLY

REVIEWED BY JHR ITEM # 493 CASE #

PREPARED BY Jeffrey Hailman

SCALE OF DRAWING: 1" = 60'

Det. G. H. #1

5

4

R.C. 4

R.C. 5

D.R. 5.5

D.R. 3.5

MICHAELSFORD
Road

CLEGHORN
Road

KATESFORD
Road

12315 MICHAELSFORD RD
LOT 16 LAURELFORD
NW 16 C
8TH DIST

#493

16,500

5,000

CLEGHORN
ROAD



Prof-add,
To B &
attache!

493



493



493



493