

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Old Court Road @
E/Corner of Glencliffe Circle
3rd Election District
2nd Councilmanic District
(1 Glencliffe Circle)

Ruth L. & Arno P. Drucker
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-569-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by Ruth L. and Arno P. Drucker, the legal owners of the subject property. The variance request is for property located at 1 Glencliffe Circle in the Pikesville area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (detached garage) to be located in the front yard closest to the street in lieu of the required rear yard in the third of the lot farthest removed from any street. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the 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

DATE 7/9/03
BY [Signature]

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

In addition, the Petitioners must be in compliance with the requirements set forth in the Zoning Advisory Committee (ZAC) Comment submitted by the Office of Planning dated June 16, 2003, a copy of which is attached hereto and made a part hereof.

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 9th day of July, 2003, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (detached garage) to be located in the front yard closest to the street in lieu of the required rear yard in the third of the lot farthest removed from any street, 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

DATE 7/9/03
BY R. J. Jameson



Baltimore County
Zoning Commissioner

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

July 9, 2003

Mr. & Mrs. Arno P. Drucker
1 Glencliffe Circle
Baltimore, Maryland 21208

Re: Petition for Administrative Variance
Case No. 03-569-A
Property: 1 Glencliffe Circle

Dear Mr. & Mrs. Drucker:

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 dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1 Glenclyffe Circle
which is presently zoned DR1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE LOCATED
IN THE FRONT YARD CLOSEST TO THE STREET IN LIEU OF THE REQUIRED REAR
YARD IN THE THIRD OF THE LOT FARTHEST REMOVED FROM ANY STREET.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By D. Thomas Date 6/3/03

Estimated Posting Date 6/15/03

CASE NO. 03-569-A

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 1 Glencliffe Circle
Address
Baltimore MD 21208
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):

Strict compliance with the setback distance of 50 feet from the street (Glencliffe Circle) to the proposed garage would require cutting down many more trees on this heavily wooded lot. In addition, access to the garage from the present driveway would be greatly facilitated by placing the garage where indicated.

The garage would hardly be visible from either Old Court Road or Glencliffe Circle (we are on the corner lot) because of the steep terrain and the thick woods. The garage placement would not affect any neighbor nor would it interfere with or affect either road since the setback would be over 55 feet from Old Court Road and 35 feet from Glencliffe Circle, a cul de sac with 6 houses.

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.

Arno P. Drucker
Signature
Arno P. Drucker
Name - Type or Print

Ruth L. Drucker
Signature
Ruth L. DRUCKER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of June, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Mark R. Swensen
Notary Public
My Commission Expires 1/1/2007

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Address
Baltimore MD 21208
City State Zip Code

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Arno P. Drucker
Signature
Arno P. Drucker
Name - Type or Print

Ruth L. Drucker
Signature
Ruth L. DRUCKER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of June, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Arno and Ruth Drucker

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

AS WITNESS my hand and Notarial Seal

Mark R. Drvensen
Notary Public
My Commission Expires 1/1/2007



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1 Glencliffe Circle
which is presently zoned DR1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 (DCZR)

TO PERMIT AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE LOCATED
IN THE FRONT YARD CLOSEST TO THE STREET IN LIEU OF THE REQUIRED REAR
YARD IN THE THIRD OF THE LOT FARTHEST REMOVED FROM ANY STREET.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

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. 03-569-A

REV 10/25/01

Reviewed By D. THOMPSON Date 6/3/03

Estimated Posting Date 6/15/03

Zoning Description for 1 Glencliffe Circle

Beginning at a point on the south side of Old Court Road at the East corner of Glencliffe Circle which is 50 feet wide. Being Lot #4 in the subdivision of "Glencliffe" as recorded in Baltimore County Plat Book #27, Folio #84 containing 32,760 square feet. Also known as 1 Glencliffe Circle and located in the 3rd Election District, 2nd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23552

DATE 6/3/03 ACCOUNT 0010066150
AMOUNT \$ 65.00

RECEIVED FROM: MR. DRUCKER

FOR: Item # 569 03-569-A

1 GLENCLIFFE CIRCLE RM D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
6/3/03 6/3/03 11:57:11
RECEIVED FROM: JIM JET
RECEIVED FROM: JIM JET
DEPT: 0010066150
OFFICE: 0010066150
AMOUNT: \$65.00
DATE: 6/3/03
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-569-A

Petitioner/Developer: _____

Arno Drucker

Date of Hearing/Closing: 6-30-03

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

Attention: Ms. Gwendolyn Stephens

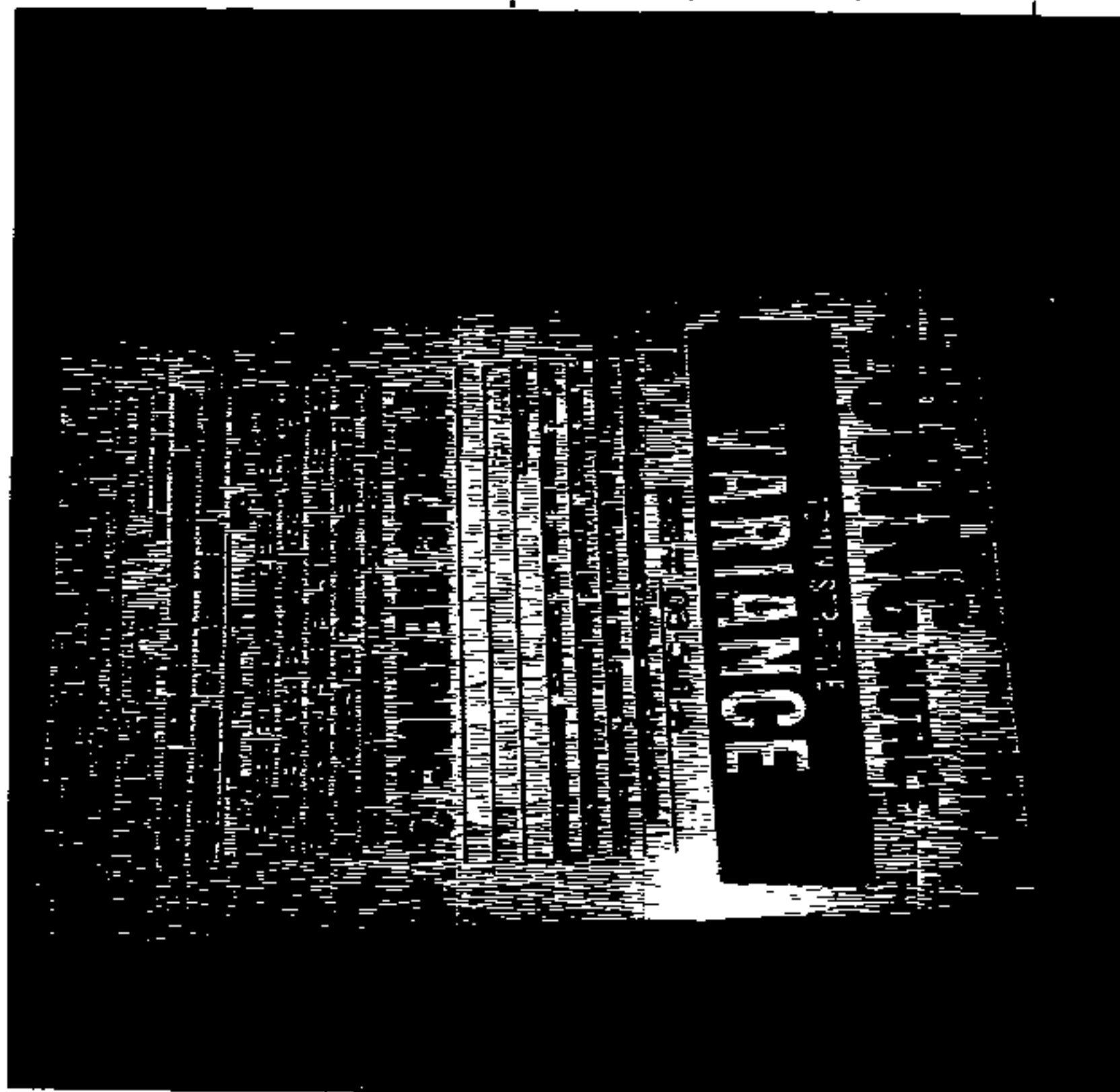
Ladies and Gentlemen:

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 1 Glencliffe Circle
Pikesville, MD 21208

The sign(s) were posted on _____

June 4, 2003

(Month, Day, Year)



Sincerely,

Stacy Gardner 6-4-03
(Signature of Sign Poster and Date)

Stacy Gardner

SHANNON BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)
410-781-4000

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 569 -A

Address 1 GLENCLIFFE CIRCLE

Contact Person: DONNA THOMPSON

Planner: Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 6/3/03

Posting Date: 6/15/03

Closing Date: 6/30/03

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.

Donna Thompson

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 569 -A

Address 1 GLENCLIFFE CIRCLE

Petitioner's Name DRUCKER

Telephone 410-296-4930

Posting Date: 6/15/03

Closing Date: 6/30/03

Wording for Sign To Permit AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE
LOCATED IN THE FRONT YARD CLOSEST TO THE STREET IN LIEU OF THE
REQUIRED REAR YARD IN THE THIRD OF THE LOT FARTHEST REMOVED
FROM ANY STREET.

WCR - Revised 6/28/00

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/neighbor 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: 03-569-A

Petitioner: DRUCKER

Address or Location: 1 GLENCLIFFE CIRCLE

PLEASE FORWARD ADVERTISING BILL TO

Name: MR. & MRS. ARNO P. DRUCKER

Address: 1 GLENCLIFFE CIRCLE

BALTO. MD 21208

Telephone Number: 410-296-4930



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

June 30, 2003

Arno Drucker
Ruth Drucker
1 Glenclyffe Circle
Baltimore, MD 21208

Dear Mr. and Mrs. Drucker:

RE: Case Number: 03-569-A, 1 Glenclyffe Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 3, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel





**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

June 10, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: ~~June~~ 9, 2003

Item No.: 558, 560-~~569~~

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.6.03

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

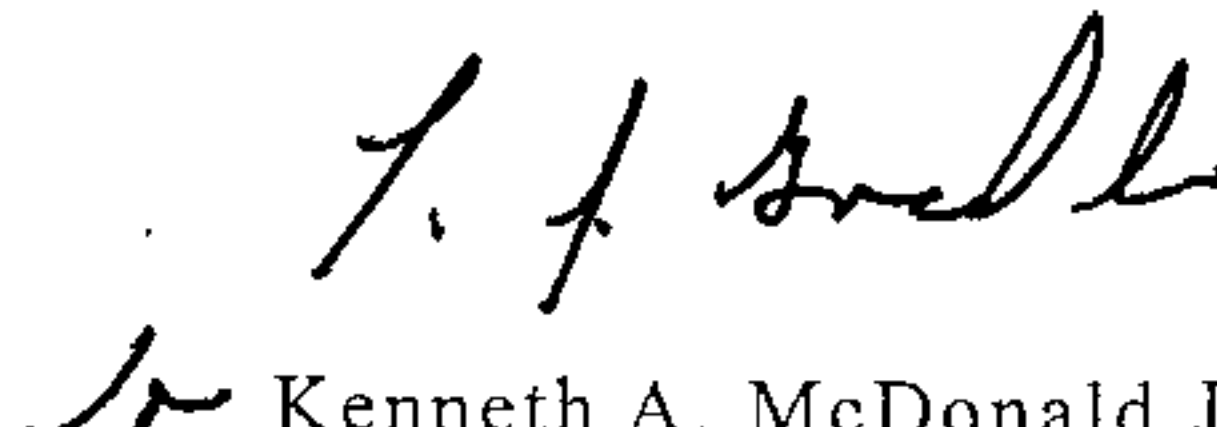
RE: Baltimore County
Item No. 569 DT

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, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 16, 2003

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

SUBJECT: 1 Glencliffe Circle

INFORMATION:

Item Number: 03-569

Petitioner: Arno Drucker

Zoning: DR 1

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the existing wooded area between the proposed garage and Old Court Road is retained and no additional curb cuts are made to provide access to the garage.

Prepared by: Mae A Cunniff

Section Chief: [Signature]
AFK/LL:MAC:

RECEIVED

JUN 17 2003

ZONING COMMISSIONER

2/9/03
[Signature]

AN
6/30

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: June 23, 2003

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

RECEIVED

JUL - 3 2003

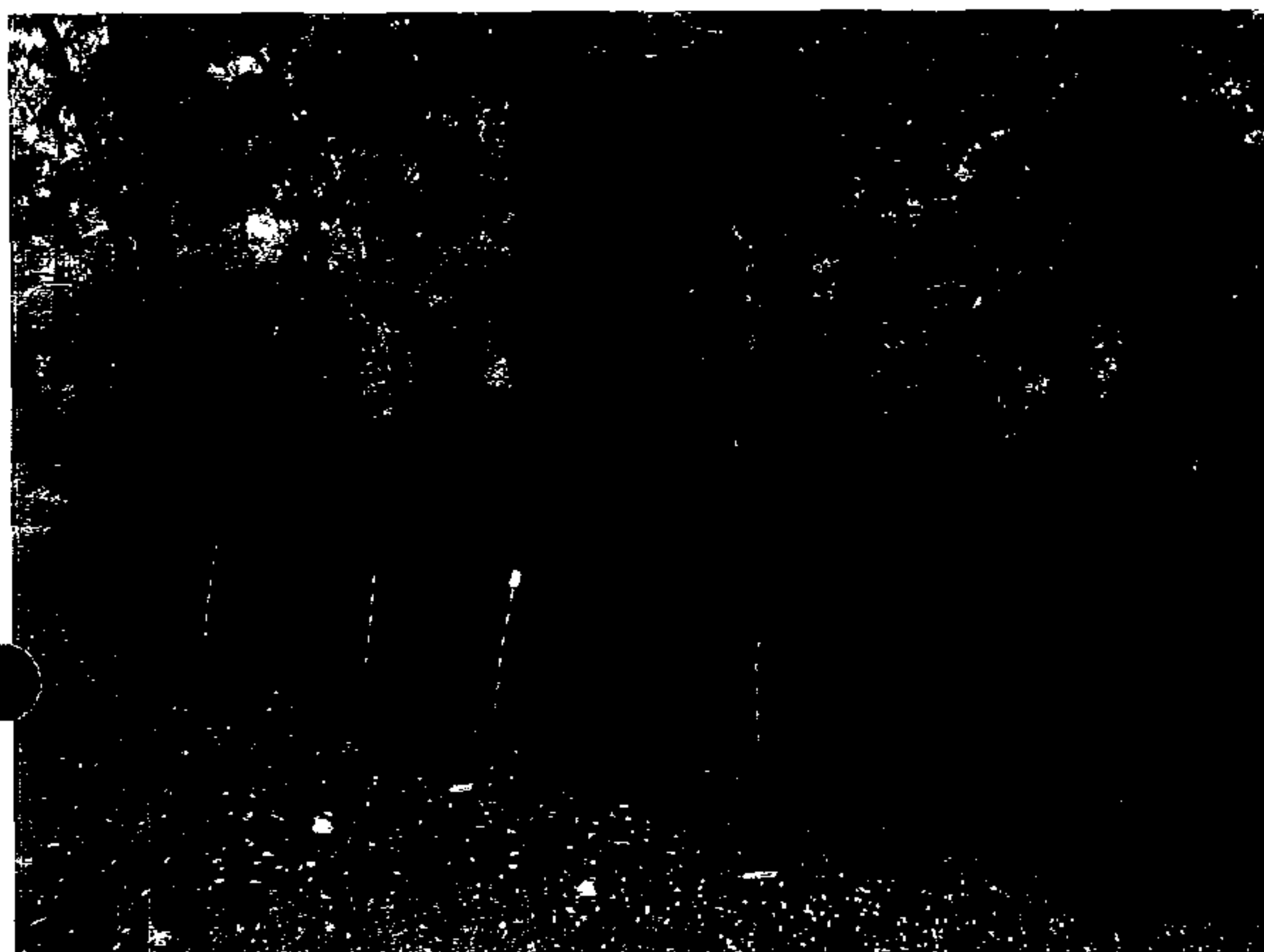
SUBJECT: Zoning Advisory Committee Meeting
For June 16, 2003
Item Nos. 559, 560, 561, 562, 563,
564, 565, 566, 567, 568, and 569

ZONING COMMISSIONER

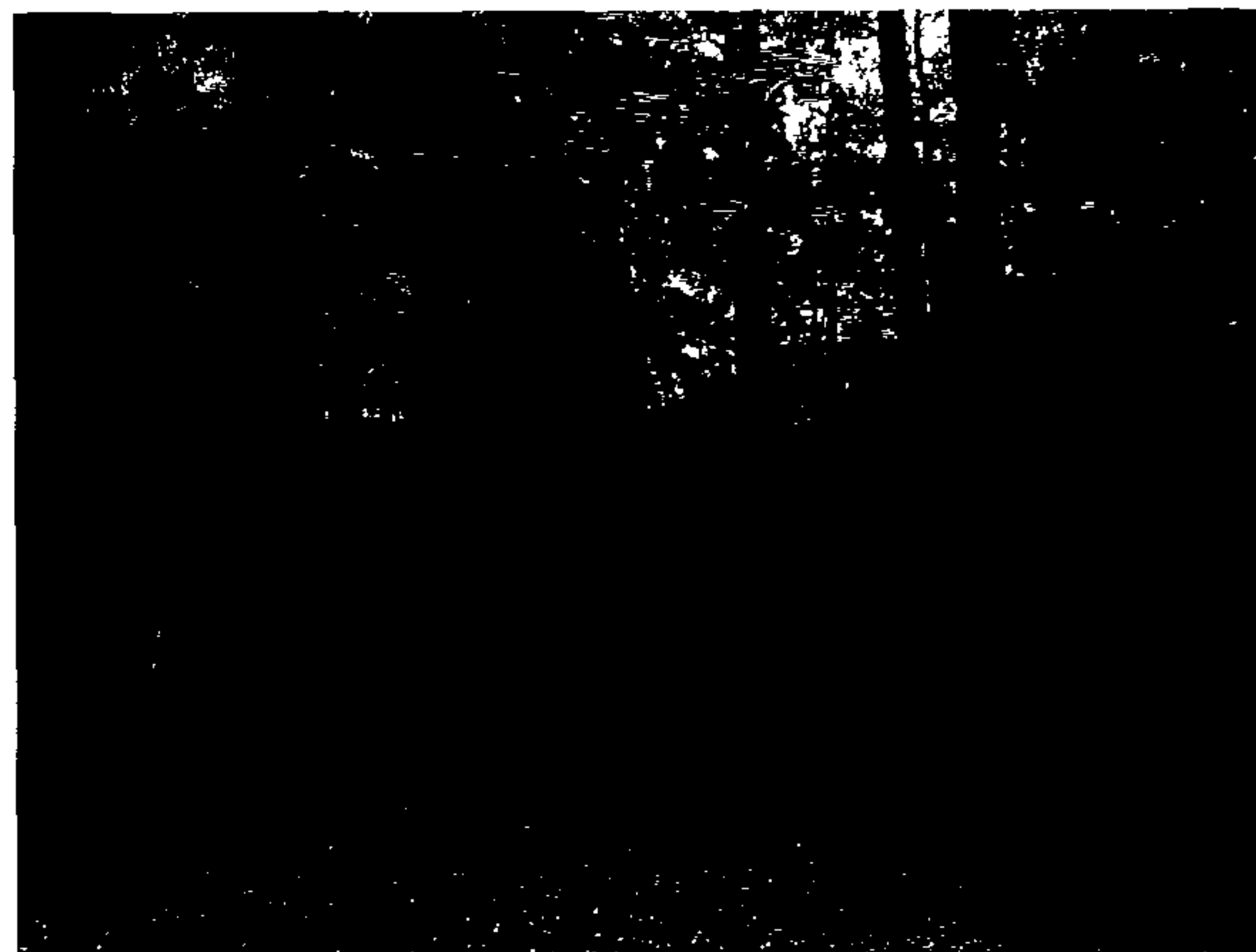
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

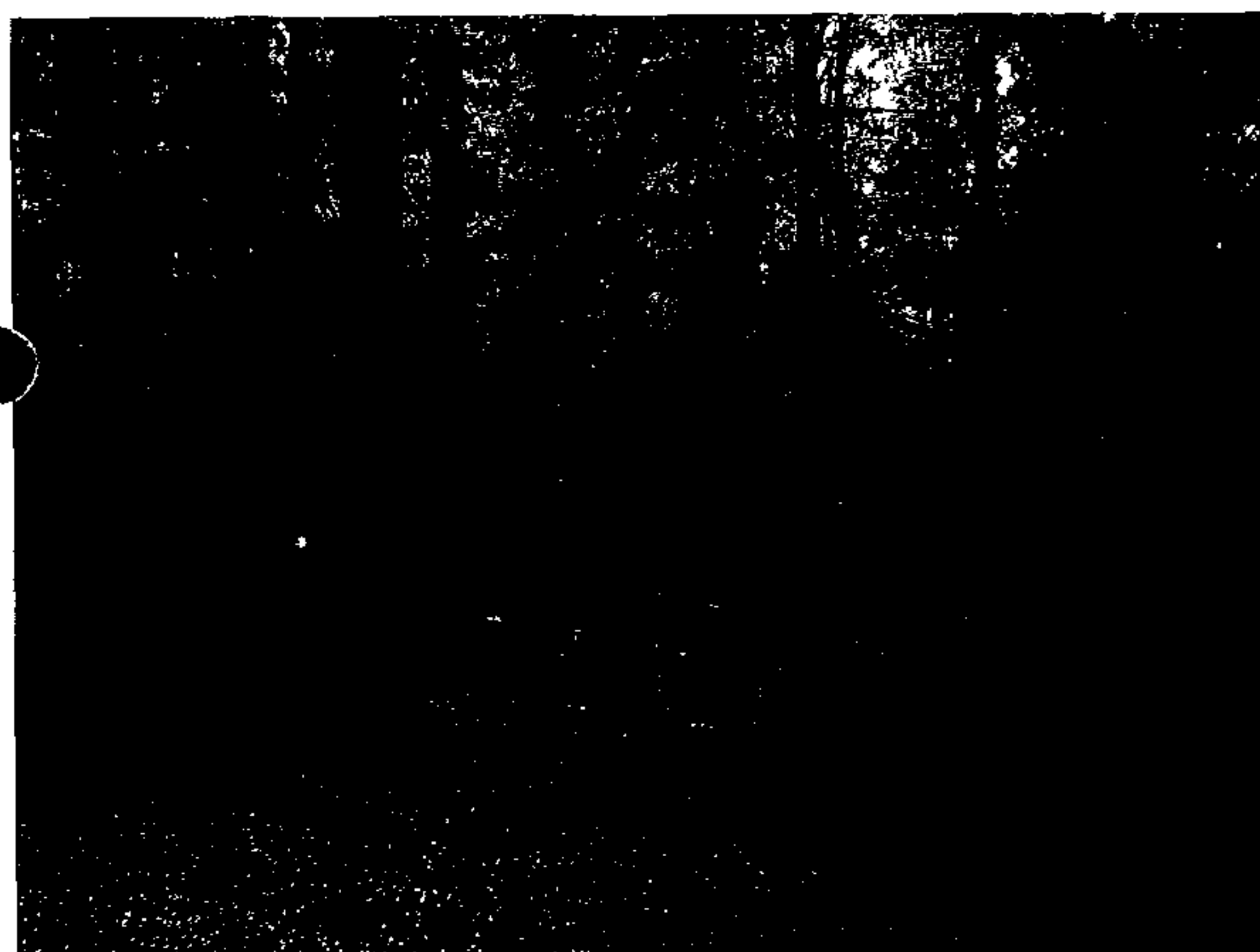
cc: File



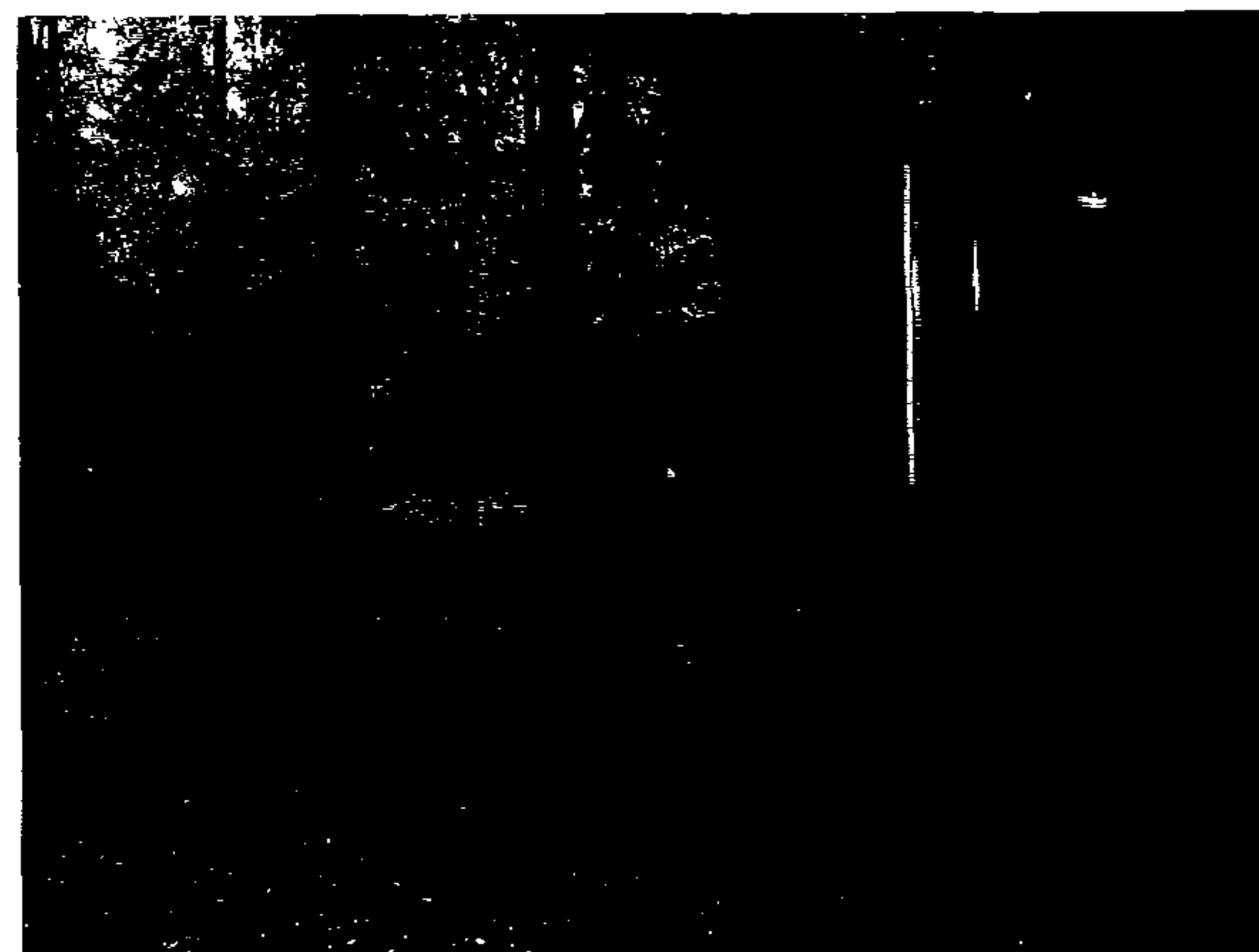
Driveway



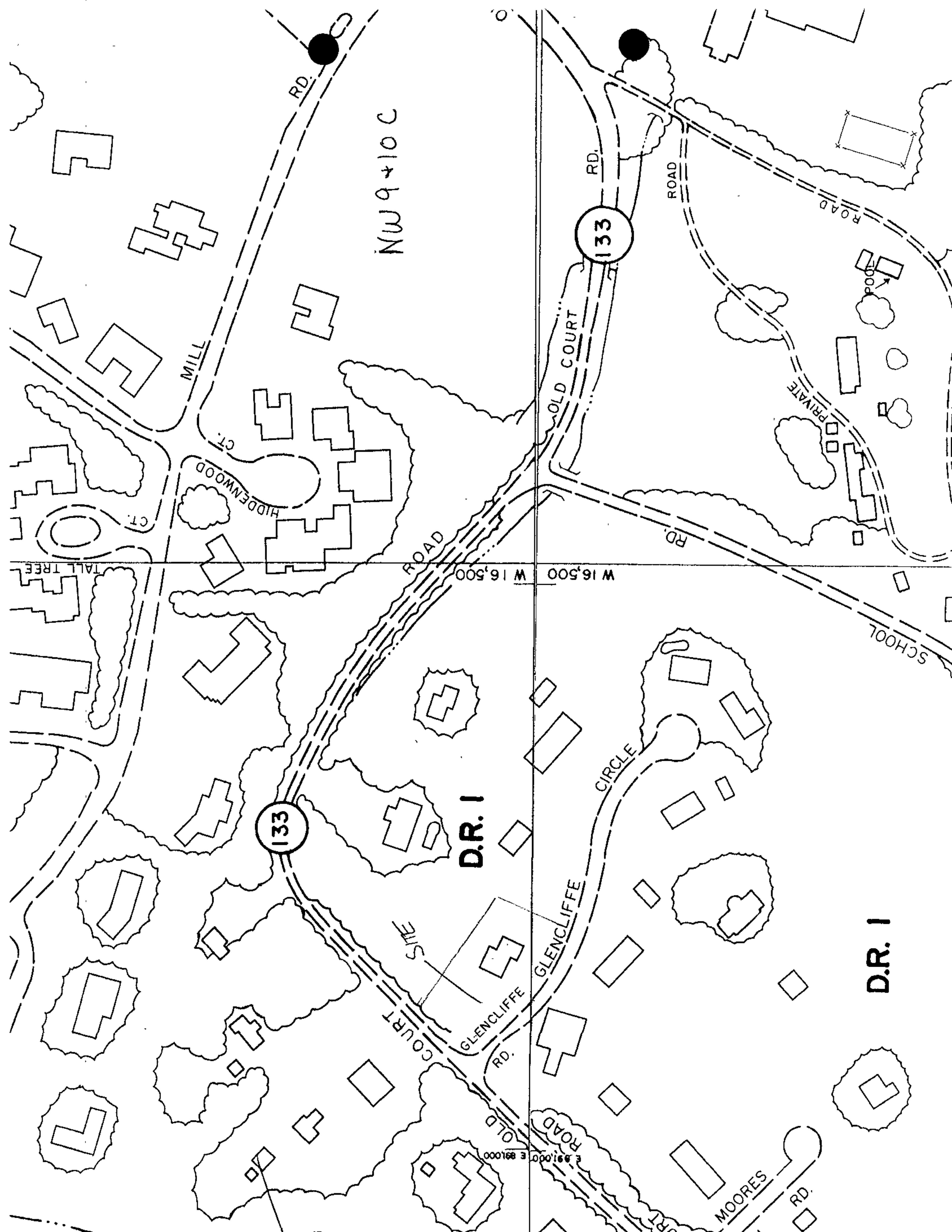
Proposed garage site



Garden



House



NW 9+10 C

MILL CT.

HIDDENWOOD CT.

TALL TREE RD.

ROAD

W 16,500

OLD COURT RD.

ROAD

PRIVATE ROAD

SCHOOL RD.

CIRCLE

GLENCIFFE RD.

COURT

GLENCIFFE RD.

OLD ROAD

MOORES RD.

133

133

D.R. 1

D.R. 1

E 891,000

E 891,000

PLAT TO ACCOMPANY PETITION FOR ZONING

PROPERTY ADDRESS 1 GLENCLIFFE Circle
 SUBDIVISION NAME GLEN CLIFFE
 PLAT BOOK # 27 FOLIO # 84 LOT # 4 SECTION # 1
 OWNER Arno & Ruth Drucker



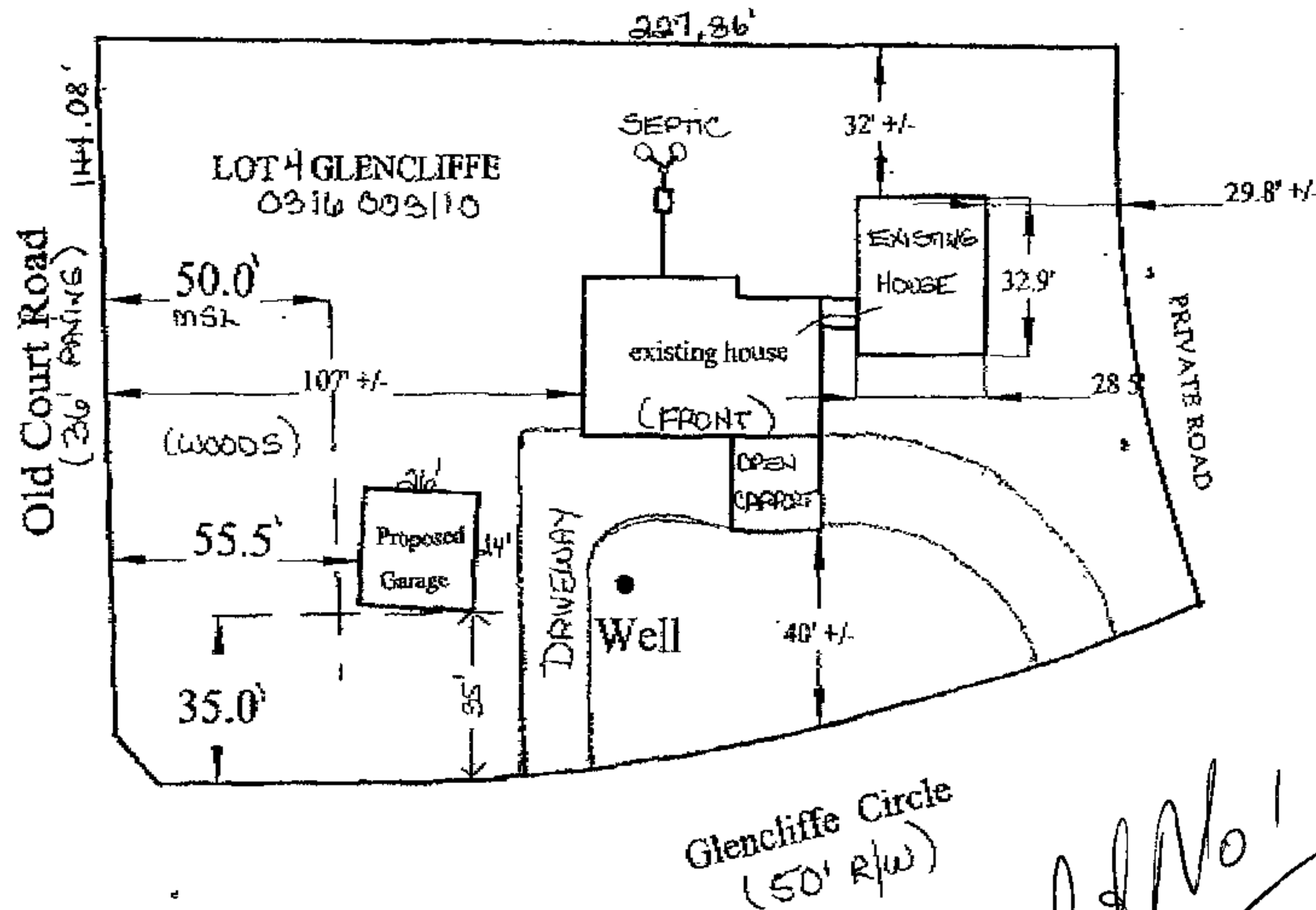
VARIANCE



SPECIAL HEARING

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

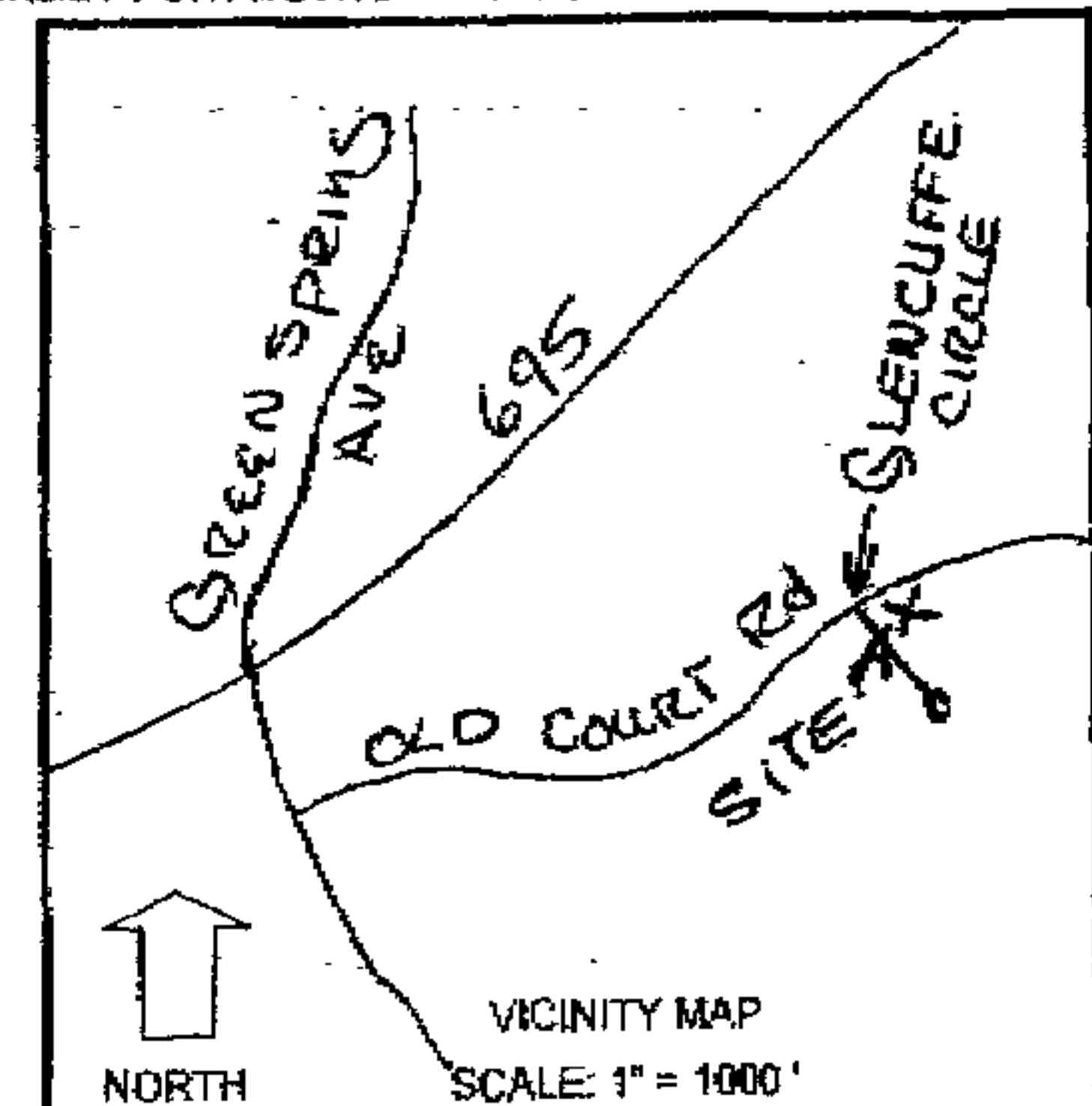
2515 OLD COURT RD. - 0308033371
 GEORGE HESS
 (NO DWELLING WITHIN 200')



NORTH

PREPARED BY T.W. Morrison

SCALE 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 3
 COUNCILMANIC DISTRICT 2
 1" = 200' SCALE MAP # NW 96 10C
 ZONING DR1
 LOT SIZE .752 32,760
 ACREAGE 32,760 SQUARE FEET
 SEWER. ☐ PUBLIC ☒ PRIVATE
 WATER ☐ YES ☒ NO
 CHESAPEAKE BAY CRITICAL AREA ☐ ☒
 100 YEAR FLOOD PLAIN ☐ ☒
 HISTORIC PROPERTY/ BUILDING ☐ ☒
 PRIOR ZONING HEARING #01-348-A

ZONING OFFICE USE ONLY

REVIEWED BY D. THOMPSON ITEM # 569 CASE # 0358A