

IN RE: PETITION FOR ADMIN. VARIANCE

E/S of Jarrettsville Pike,
465 ft. SW of Stansbury Road
10th Election District
3rd Councilmanic District
(14417 Jarrettsville Pike)

Cynthia Jacobson
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-050-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 owner of the subject property, Cynthia Jacobson. The variance request is for property located at 14417 Jarrettsville Pike in the Phoenix area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a street centerline setback of 65 ft. and side lot line setback of 37 ft. in lieu of the required 75 ft. and 50 ft. respectively for a proposed addition. 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

DATE 8/29/03
BY M. J. Gannon

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

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 29 day of August, 2003, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a street centerline setback of 65 ft. and side lot line setback of 37 ft. in lieu of the required 75 ft. and 50 ft. respectively 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 Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

08/29/03
8/29/03
R. J. Jenson



Baltimore County
Zoning Commissioner

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

August 27, 2003

Ms. Cynthia Jacobson
14417 Jarrettsville Pike
Phoenix, Maryland 21131

Re: Petition for Administrative Variance
Case No. 04-050-A
Property: 14417 Jarrettsville Pike

Dear Ms. Jacobson:

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 that reads "John V. Murphy". The signature is written in a cursive, flowing style.

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

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

Address 14417 Jarrettsville Pike
City Phoenix, MD State 21131 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):

THE REASON THE ZONING REGULATIONS CANNOT BE MET ON THE EXISTING PROPERTY ARE:

- 1) THE PROPERTY IS IRREGULAR SHAPED AND BECAUSE OF THE LOCATION OF THE HOUSE THERE IS ONLY ONE AREA TO PLACE AN ADDITION AND THAT AREA DOES NOT MEET THE COUNTY SETBACK REQUIREMENTS. THE FRONT SETBACK REQUIRES 15 FEET. WE HAVE 69 FEET. THE SIDE REQUIRES 50' WE HAVE 31'. IF THERE IS STRICT COMPLIANCE WE WOULD LOSE PRACTICAL USE OF THE PROPERTY AND COULD NOT BUILD THE ADDITION.
- 2) A GRANT OF ZONING VARIANCE WILL PROVIDE NEEDED BATHROOMS AND LIVING SPACE ON THE FIRST FLOOR. THE HOUSE CURRENTLY IS SMALL AND THIS WOULD GIVE US ANOTHER 600 SQ. FEET.

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.

Cynthia Jacobson
Signature

Cynthia G. Jacobson
Name - Type or Print

Signature

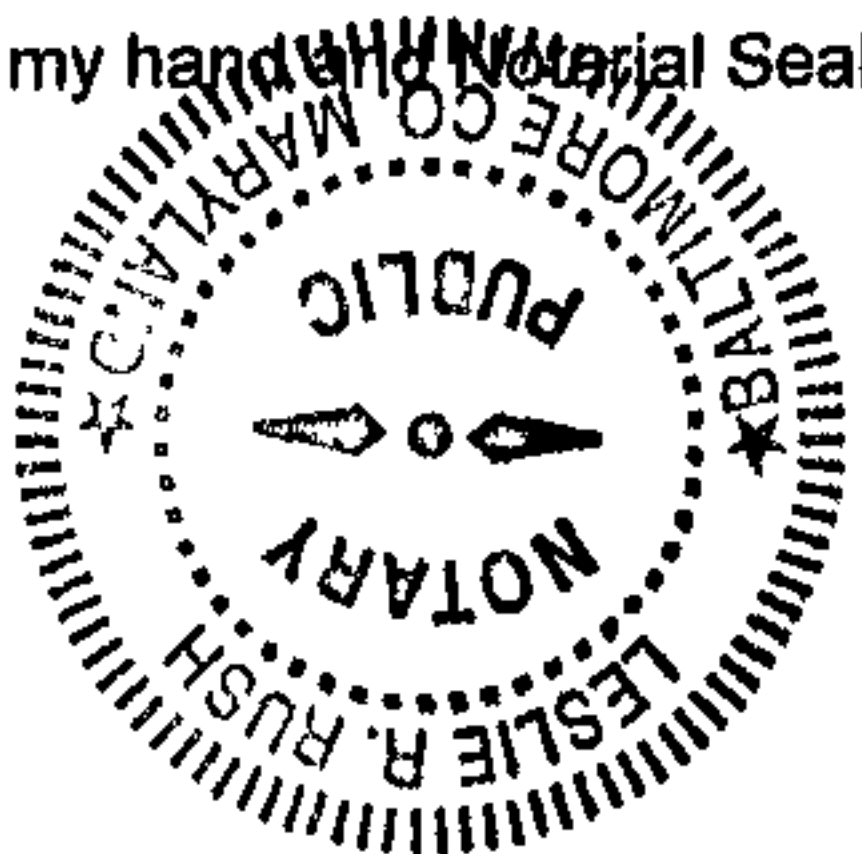
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23RD day of JULY, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Leslie Rush
Notary Public

My Commission Expires 10-17-2005



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 14417 Jarrettsville Pike
which is presently zoned RC5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 A 04.3 B.2 BCZR

TO permit a Street Centerline Setback of 65 FT. AND A Side Lot Line Setback of 37 FT. IN LIEU OF THE REQUIRED 75 FT AND 50 FT RESPECTIVELY. (For a proposed addition).

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):

Cynthia G. Jacobson
Name - Type or Print _____

Cynthia Jacobson
Signature _____

Name - Type or Print _____

Signature _____

14417 Jarrettsville Pike 410-666-0468
Address _____ Telephone No. _____

Phoenix, MD 21131
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

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.

CASE NO. 04-050-A

REV 10/25/01

Zoning Commissioner of Baltimore County

Reviewed By JL Date 7/30/03

Estimated Posting Date 8/10/03

050

Zoning Description

14417 JARRETTSVILLE PIKE.

BEGINNING AT THE CENTERLINE OF JARRETTSVILLE PIKE 465 FT.
SOUTHWEST OF STANSBURY RD THEN EASTERLY 322.85 FT, THEN
WESTERLY 484.7 FT, THEN NORTHERLY 398.64 FT. BACK TO THE
POINT OF BEGINNING, BEING 1.55 ACRES IN THE 10TH ED.

Cynthia Harrison

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 250.

DATE

7/30/03

ACCOUNT

001 OF 6150

AMOUNT \$

65.00

RECEIVED
FROM:

JACOBSON

FOR:

RES VAX

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Date: August 10, 2003

ADMINISTRATIVE

RE: Case Number OB-050-A

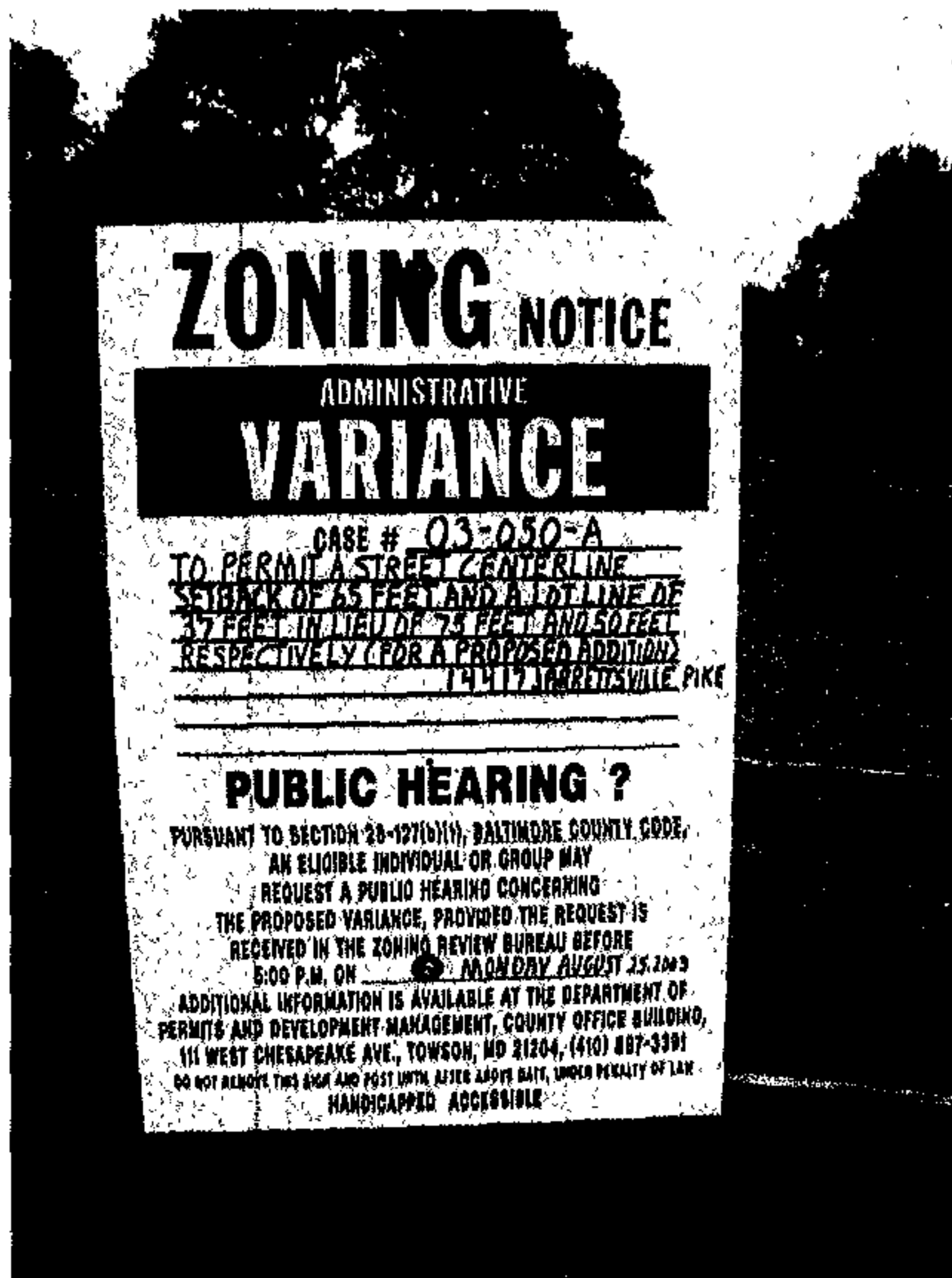
Petitioner/Developer: CYNTHIA JACOBSON

Date of Hearing/Closing: August 25, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 14417 Jarrettsville Pike

The sign(s) were posted on

August 7, 2003
(Month, Day, Year)



Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

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: 04 - 050 - A
Petitioner: Jacobson
Address or Location: 14417 Jarrettsville Pike

PLEASE FORWARD ADVERTISING BILL TO:

Name: Cynthia G. Jacobson
Address: 14417 Jarrettsville Pike
Phoenix, MD 21131
Telephone Number: 410-666-0468

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 050 -A

Address 14417 JARRETTVILLE PIKE

Contact Person: JOHN LEWIS
Planner Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 7/30/03

Posting Date: 8/10/03

Closing Date: 8/25/03

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.

Detail Along Dashed Line

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 050 -A

Address 14417 JARRETTVILLE PIKE

Petitioner's Name CYNTHIA JACOBSON

Telephone 410 666 0468

Posting Date: 8/10/03

Closing Date: 8/25/03

Wording for Sign. To Permit A STREET CENTERLINE SETBACK OF 6.5 FT. AND A LOT LINE SETBACK OF 37 FT. IN LIEU OF 75 FT. AND 50 FT RESPECTIVELY (FOR A PROPOSED ADDITION).



Baltimore County
Department of Permits and
Development Management

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

August 25, 2003

Cynthia Jacobson
14417 Jarrettsville Pike
Phoenix, MD 21131

Dear Ms. Jacobson:

RE: Case Number: 04-050-A, 14417 Jarrettsville Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 30, 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, appearing to read "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

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



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on Recycled Paper

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

August 13, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: August 11, 2003

Item No.: 4-48-SPHA 4-49-SPH 4-50-A 4-51-A 4-52-SPHA 4-53-SPHA
4-54-A 4-55-A 4-56-A 4-57-A 4-58-A 4-59-A 4-60-A 4-61-A 4-62-a
04-43-SPH 03-0545-X

Dear Ms. Hart:

Pursuant to your request, the referenced properties 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.

6. 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, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8.13.03

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

RE: Baltimore County
Item No. 050 JLL

Dear Ms. Hart:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 144 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

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

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *RBS / RBS*

DATE: September 24, 2003

SUBJECT: Zoning Item 04-050
Address 14417 Jarrettsville Pike

Zoning Advisory Committee Meeting of: August 11, 2003

An inspection of the well and septic system is required prior to building permit approval.

Reviewer: Sue Farrinetti

Date: September 12, 2003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 13, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case 04-050 and 04-058**
Administrative Variance

RECEIVED

AUG 14 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:



Section Chief:



AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 25, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For August 18, 2003
Item Nos. 048, 049, 050, 051, 053,
054, 055, 056, 057, 058, 059, 060,
061, and 062

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

RWB:CEN:jrb

cc: File

NE 21C
1" = 200'

E-16,50

146

STANSBURY

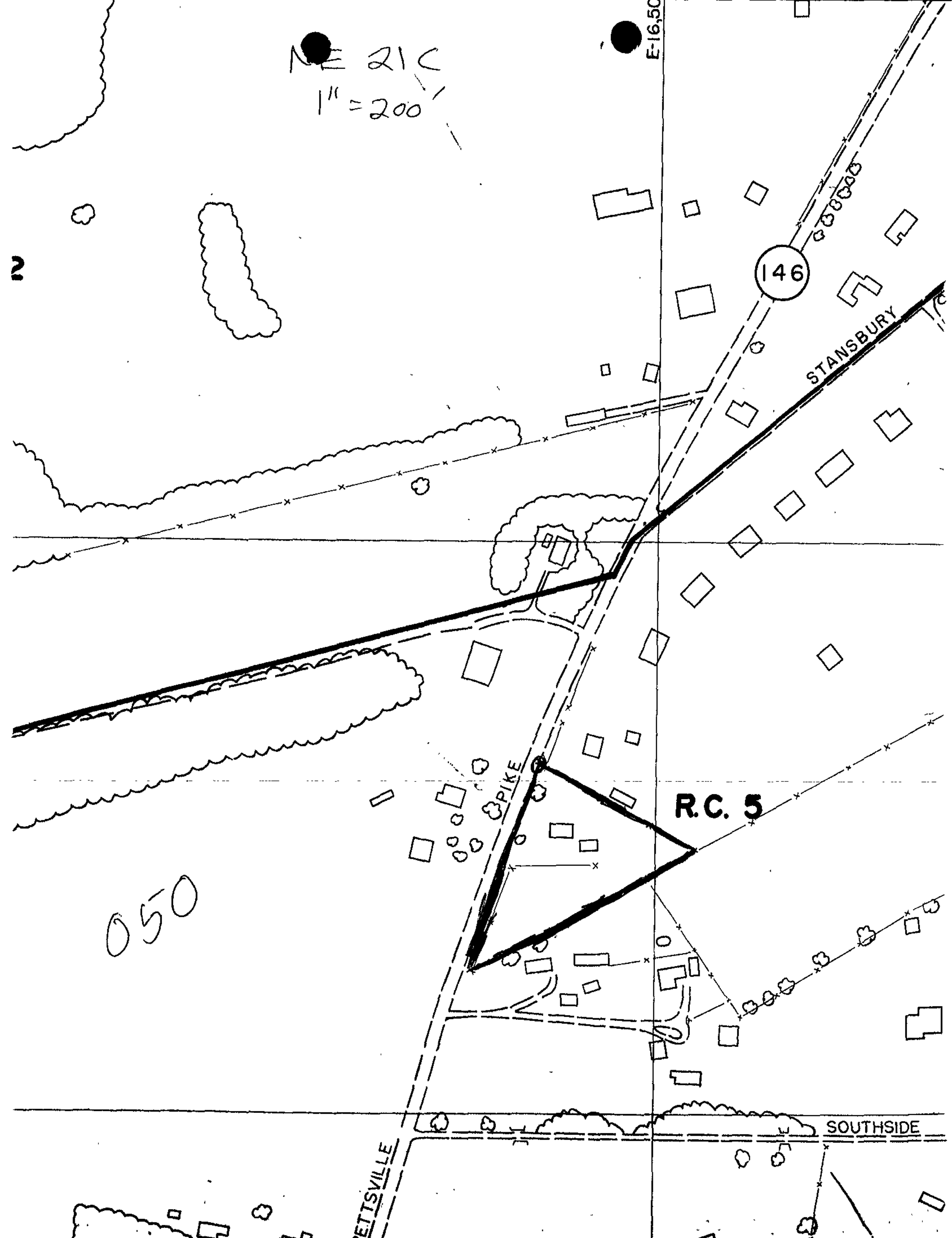
R.C. 5

PIKE

SOUTHSIDE

ETISVILLE

050



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

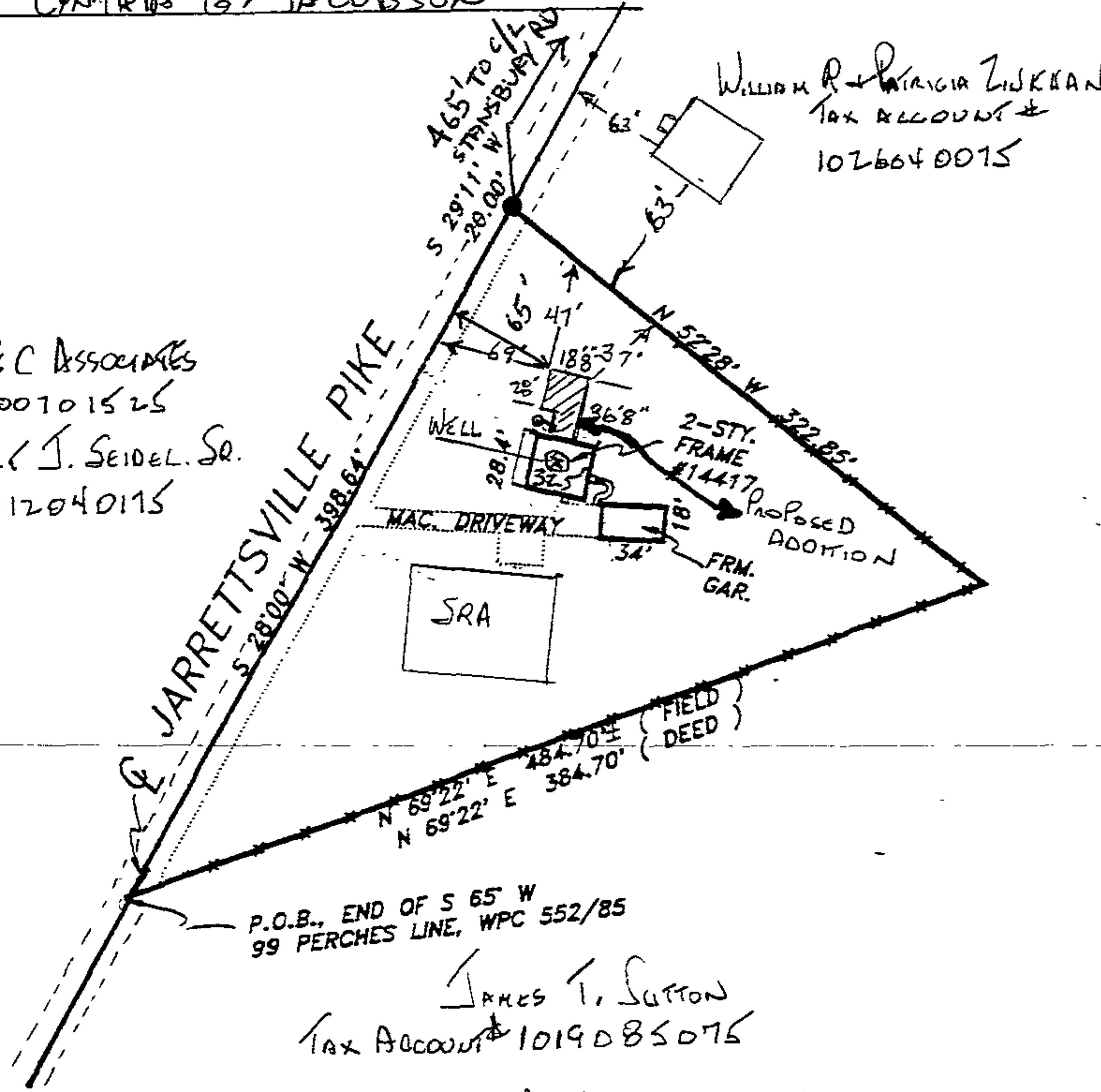
PROPERTY ADDRESS 14417 JARRETTSVILLE PIKE SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME NONE

LIBER BOOK # 9107 FOLIO # 674 LOT # SECTION #

OWNER CYNTHIA G. JACOBSON

T&C Associates
100101525
Robert J. Seidel, Sr.
1012040115

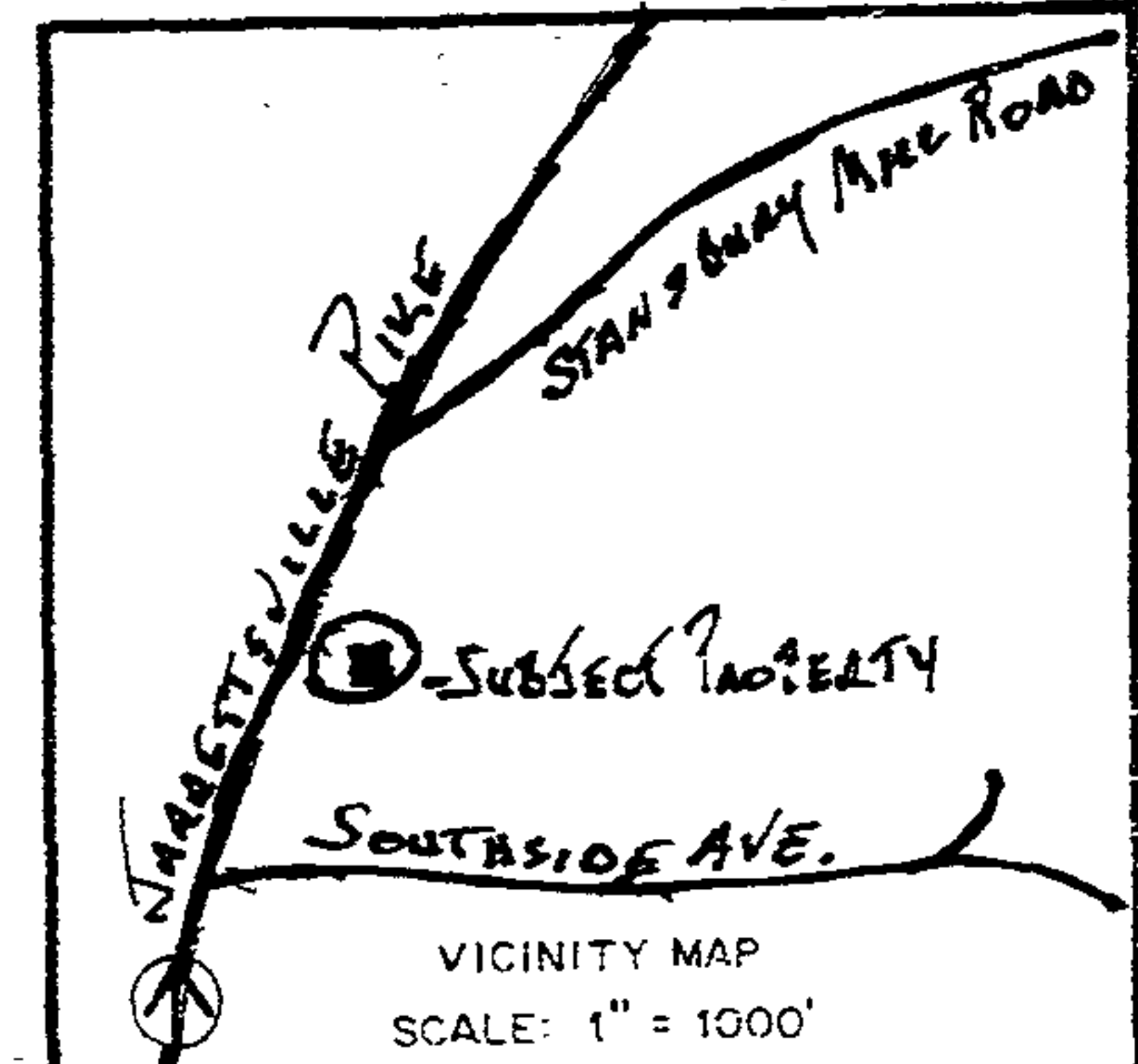


WILLIAM R. & PATRICIA LUKKAN
TAX ACCOUNT #
1026640015

JAMES T. SUTTON
TAX ACCOUNT # 1019085075



PREPARED BY C. Jacobson SCALE OF DRAWING: 1" = 100'



LOCATION INFORMATION

ELECTION DISTRICT 10

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # NE 21C

ZONING RC5

LOT SIZE 1.55 67,518
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY JL ITEM # 050 CASE #

Plat G.C. #1



North Side



ADJACENT PROPERTY LINE



JANETTSVILLE PIKE



ENCLOSED ADDITION



JACOBSON - 14417 JANETTSVILLE PIKE

JACOBSON - 14417 JANAKTSVILLE PIKE

050

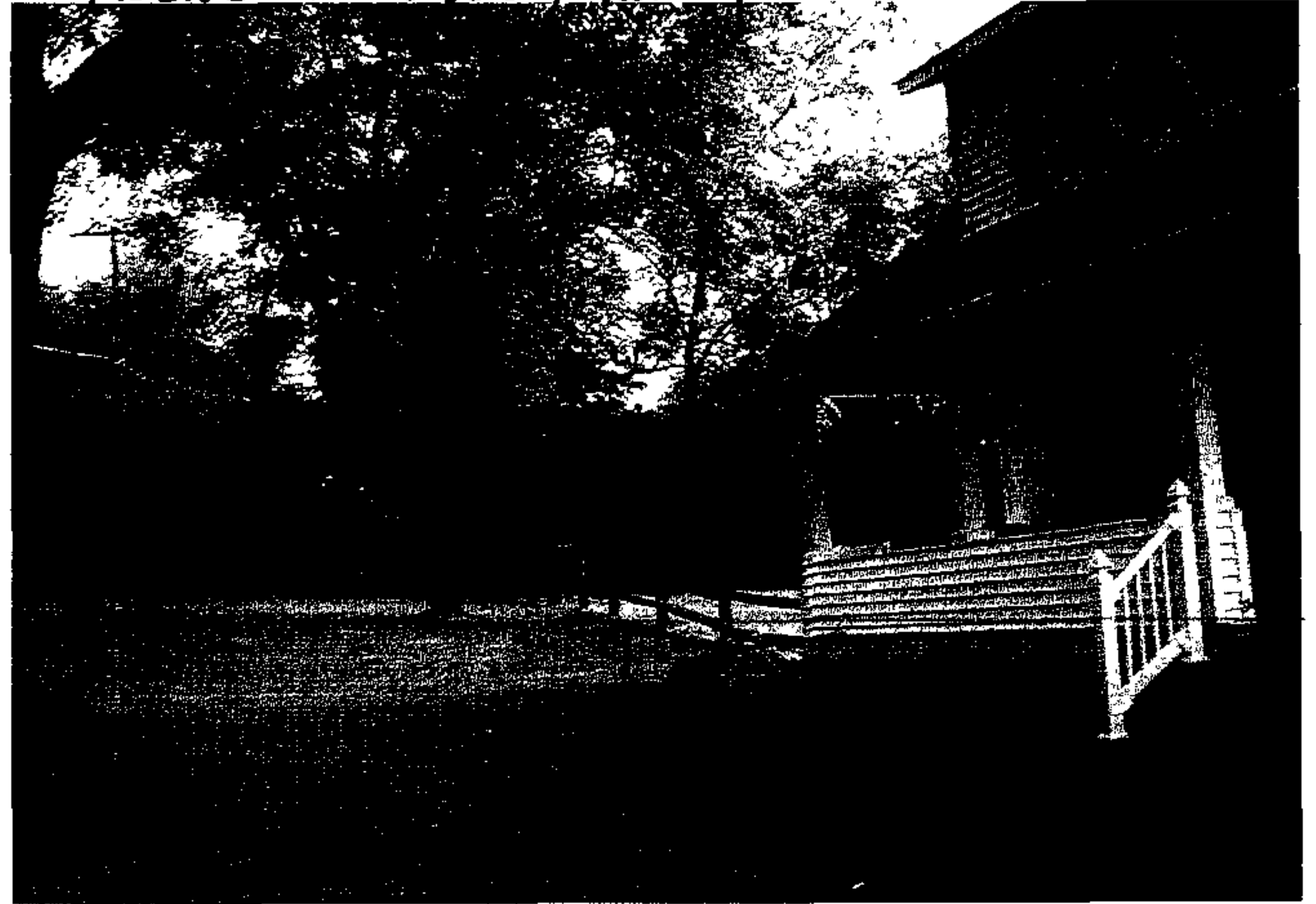
ADJACENT PROPERTY LINE



PURPOSED ADDITION



ADJACENT PROPERTY LINE



PURPOSED ADDITION

14417
JACKSON - JAMESVILLE Pkwy

JACOBSON - 14417 JARNETTSVILLE PIPE

050