

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Sunday Court, 1,040' N
of Sunnydale Way
3rd Election District
4th Councilmanic District
(14 Sunday Court)

Kathryn & Ronald Jacobson
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-096-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, Kathryn and Ronald Jacobson. The variance request is for property located at 14 Sunday Court in the Reisterstown 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 an addition with a 19 ft. side yard setback in lieu of the required 50 ft. setback. 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

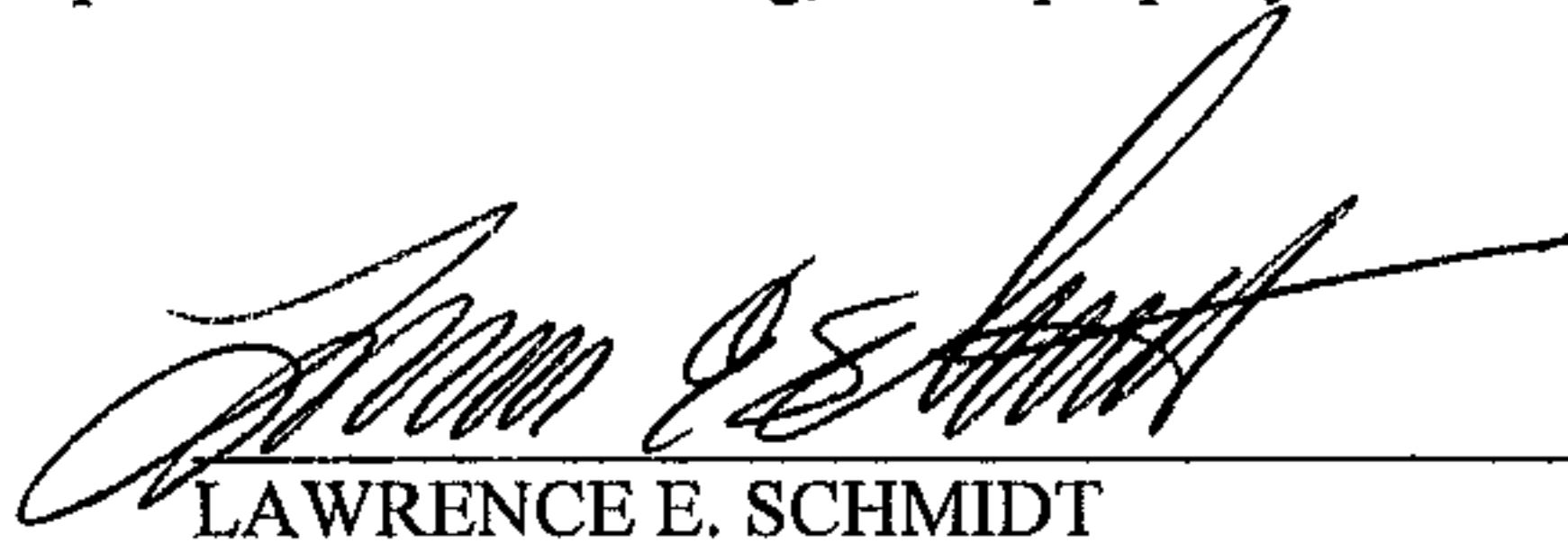
9/29/03
R. Jacobson

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 *29th* day of September, 2003, that a variance from Section 1A04.3.B.2 of the B.C.Z.R., to permit an addition with a 19 ft. side yard setback in lieu of the required 50 ft. setback., 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

9/29/03
R. Johnson

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

September 29, 2003

Mr. & Mrs. Ronald Jacobson
14 Sunday Court
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 04-096-A
Property: 14 Sunday Court

Dear Mr. & Mrs. 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, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14 SUNDAY CT.
which is presently zoned R.C.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) 1A04.3B.2. (BCZR)

TO PERMIT AN ADDITION WITH AN 19-FOOT SIDE SETBACK
IN LIEU OF THE REQUIRED 50-FOOT SETBACK.

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):

X RONALD JACOBSON
Name - Type or Print

Signature

X KATHRYN JACOBSON
Name - Type or Print

Signature

14 SUNDAY CT 410-526-7911
Address Telephone No

Reisterstown MD 21136
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, 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. 04-096-A

Reviewed By D. THOMPSON Date 8/20/03

Estimated Posting Date 8/31/03

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

Address 14 SUNDAY COURT
City REISTERSTOWN, State MD Zip Code 21136

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 WOULD LIKE A GARAGE TO KEEP OUR CARS OUT OF THE WINTER ICE AND SNOW. HAVING IT DIRECTLY ACROSS FROM THE SIDE ENTRANCE OF THE HOUSE PROVIDES PROTECTION AND COVER FROM INCLEMENT WEATHER.

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

Name - Type or Print

Ronald Jacobson

Signature

Name - Type or Print

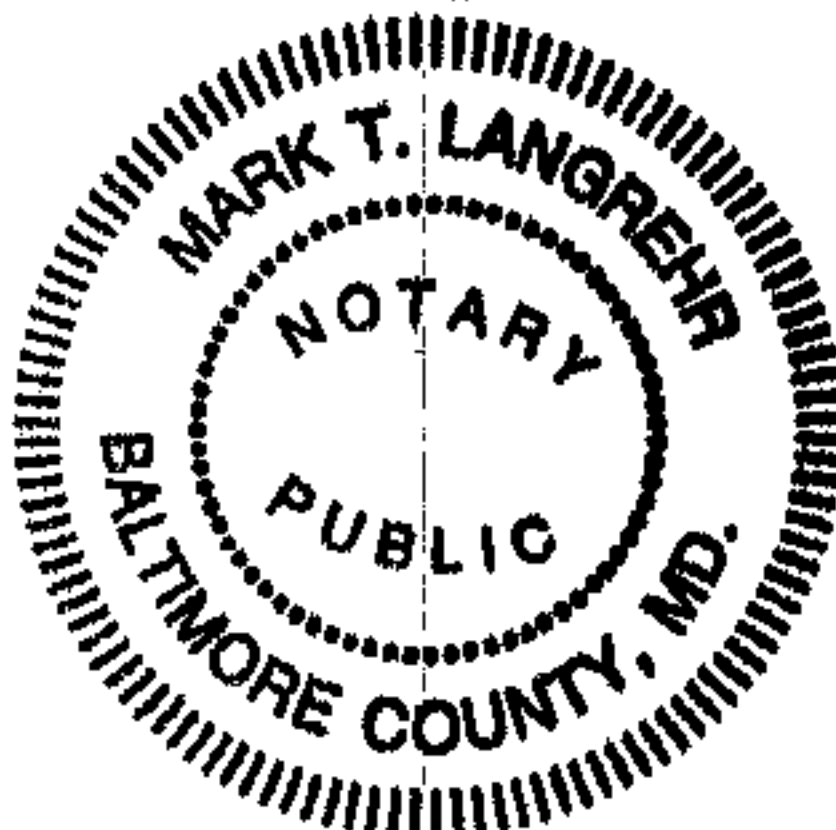
Kathryn H Jacobson
KATHRYN H JACOBSON

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of AUGUST, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RONALD JACOBSON & KATHRYN H. JACOBSON
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Notary Public

My Commission Expires MY COMMISSION EXPIRES 3/1/04

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 14 SUNDAY COURT
Address
REISTERSTOWN MD 21136
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 would like a garage to keep our cars out of the winter ice and snow. Having it directly across from the side entrance of the house provides protection and cover during inclement weather.

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
RONALD JACOBSON
Name - Type or Print

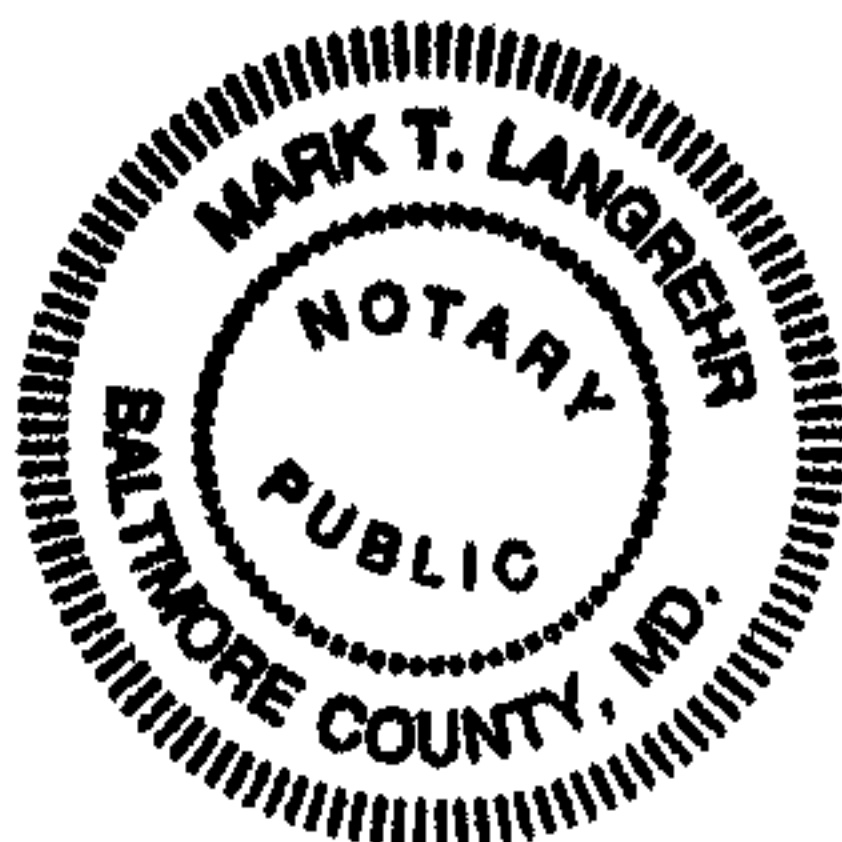
[Signature]
Signature
KATHRYN H. JACOBSON
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of AUGUST, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RONALD JACOBSON + KATHRYN H. JACOBSON
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
My Commission Expires MY COMMISSION EXPIRES 3/1/04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14 SUNDAY CT.
which is presently zoned R.C.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) 1A04.3B.2. (BCZR)

**TO PERMIT AN ADDITION WITH AN 19-FOOT SIDE SETBACK
IN LIEU OF THE REQUIRED 50-FOOT SETBACK**

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):

X RONALD JACOBSON
Name - Type or Print

Signature

X KATHRYN JACOBSON
Name - Type or Print

Signature

14 SUNDAY CT
Address

410-526-7911
Telephone No

KEISKERTOWN
City

MD
State

21136
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 04 day of 09 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. 04-096-A

REV 10/25/01

Reviewed By D. THOMPSON Date 8/20/03

Estimated Posting Date 8/31/03

Zoning Description for 14 SUNDAY COURT

Beginning at a point on the west side of Sunday Court which has a 50 foot right-of-way at a distance of 1040-feet north of the centerline of Sunnydale Way. Being Lot#8 in the subdivision of "Sunny Acres" as recorded in Baltimore County Plat Book #36, Folio #81 containing 1.037 acres. Also known as 14 Sunday Court and located in the 4th Election District, 4th Councilmanic District.

04-086-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 22256

DATE 8/20/03 ACCOUNT 0010066150

AMOUNT \$ 65.00

RECEIVED FROM: RONALD JACOBSON

FOR: ITEM #081 04-081-A

14 SUNDAY CT. BY D. THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME DRW
8/20/2003 8/20/2003 10:59:03 2
REG #502 MAIL JEW JEE
>> RECEIPT # 220425 8/20/2003 OFLN
Dept 5 528 ZINING VERIFICATION
CR NO. 022256
Receipt Tot \$65.00
PAY CK 65.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 04-096-A

Petitioner/Developer: _____

JACOBSON

Date of Hearing/Closing: 9/15/03

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

ATTN: Becky Hart {(410) 887-3394}

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: _____

14 SUNDAY CT

The sign(s) were posted on _____

8/30/03
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster)

8/30/03
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

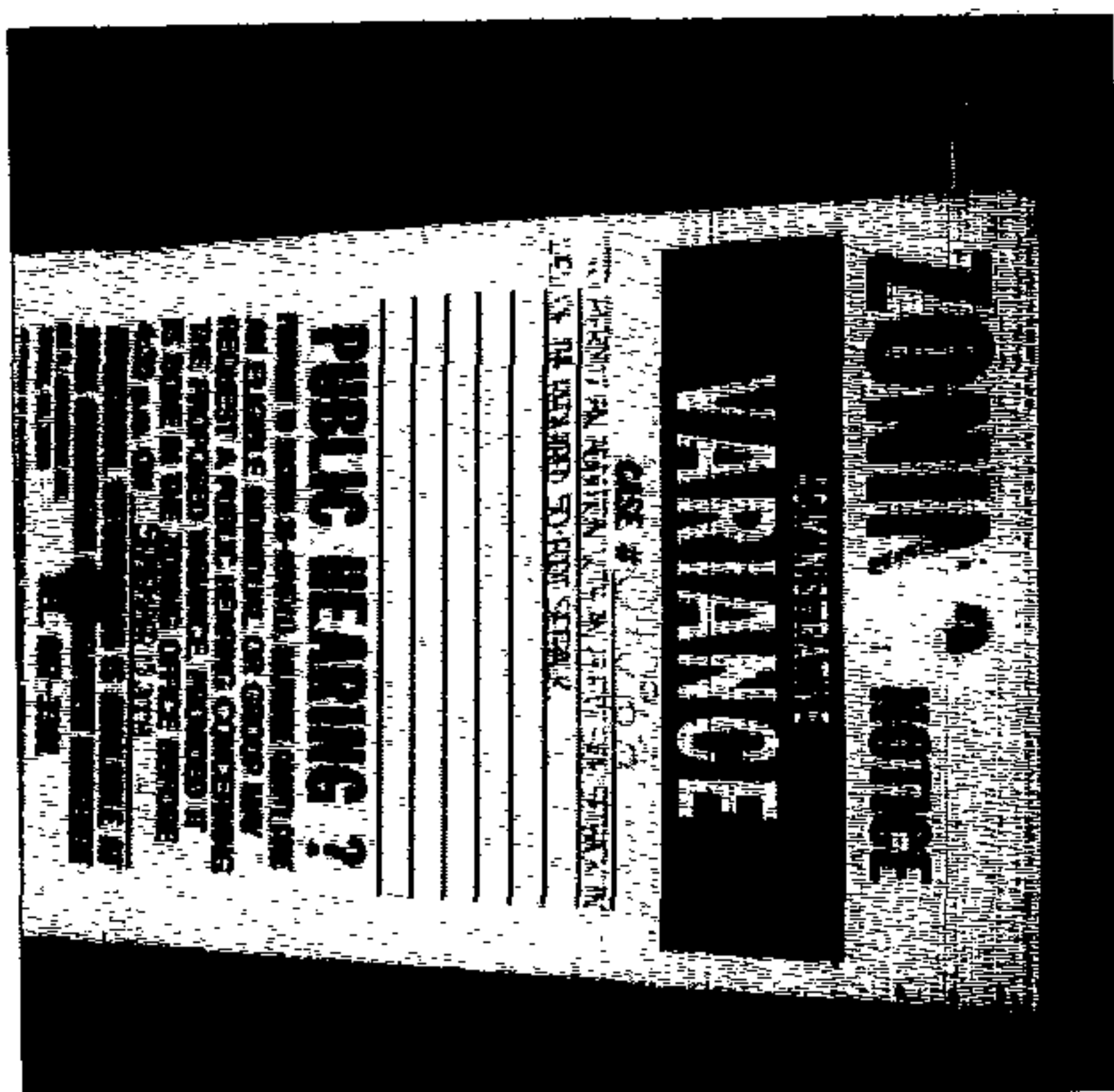
(Address)

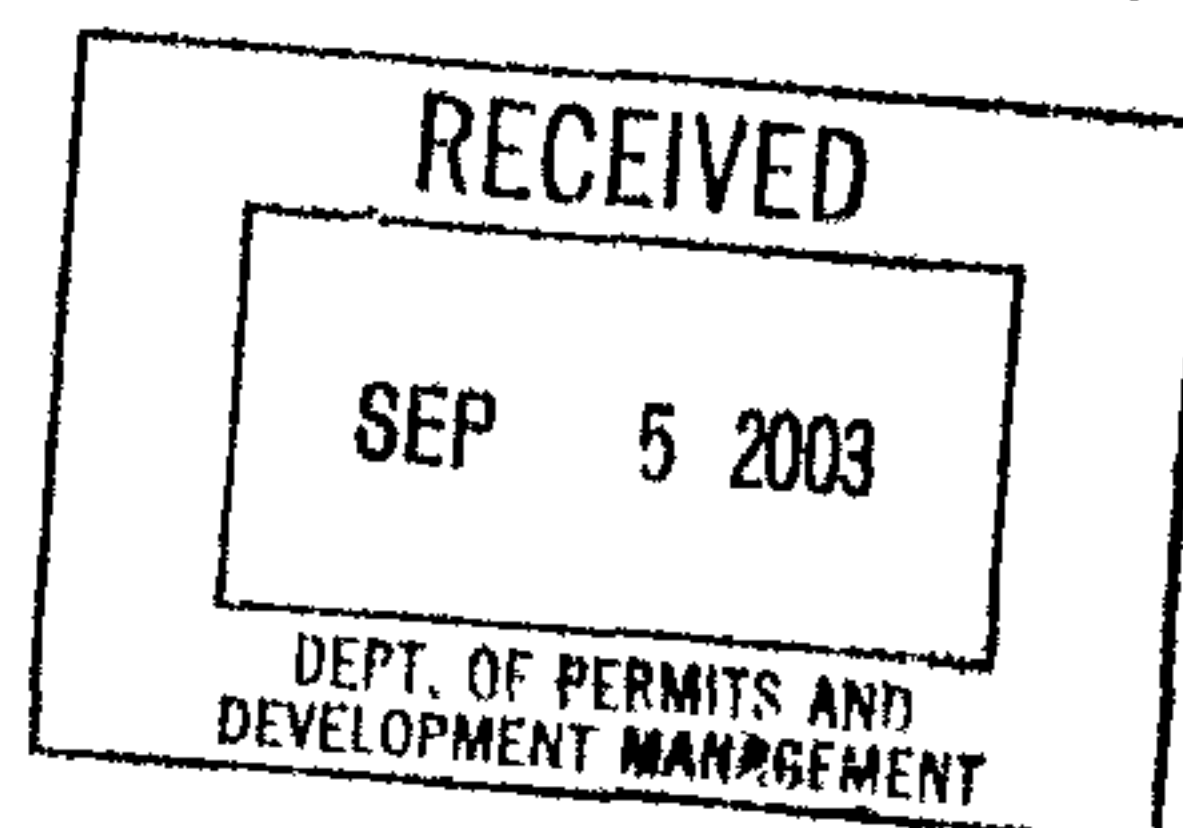
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04 096 -A Address 14 SUNDAY CT.
Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner Please Print Your Name
Filing Date: 8/20/03 Posting Date: 8/31/03 Closing Date: 9/15/03

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.

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 Alter; Delete

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 04 086 -A Address 14 SUNDAY CT.
Petitioner's Name JACOBSON Telephone 410-526-7911
Posting Date: 8/31/03 Closing Date: 9/15/03
Ordering for Sign: To Permit AN ADDITION WITH AN 19-FOOT SIDE SETBACK
IN LIEU OF THE REQUIRED 50-FOOT SETBACK.

**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/neighbors 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: 04-096-A
Petitioner: JACOBSON
Address or Location: 14 SUNDAY CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. & MRS. RONALD J. JACOBSON
Address: 14 SUNDAY CT.
REISTERSTOWN, MD 21136
Telephone Number: 410-526-7911



Baltimore County
Department of Permits and
Development Management

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

September 15, 2003

Ronald Jacobson
Kathryn Jacobson
14 Sunday Court
Reisterstown, MD 21136

Dear Mr. and Mrs. Jacobson:

RE: Case Number: 04-096-A, 14 Sunday Court

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

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

September 11, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: September 8, 2003

Item No.: 098 - 111⁹⁶

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

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





**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

September 2, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: September 2, 2003

Item No.: ⁰⁹⁶088-097

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, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8-29-03

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

RE: Baltimore County
Item No. 096 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 1.800.201.7165 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 / TGT*
DATE: October 9, 2003
SUBJECT: Zoning Item 04-96
Address 14 Sunday Court

Zoning Advisory Committee Meeting of: September 2, 2003

The inactive well must be abandoned and sealed by a licensed well driller prior to building permit approval. A well abandonment report must be submitted to Ground Water Management.

Reviewer: Sue Farinetti

Date: October 9, 2003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 25, 2003

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

SUBJECT: Zoning Advisory Petition(s): Case 04-096 – 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:

Opal Barber

AFK/LL:MAC

RECEIVED

SEP 25 2003

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 26, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For September 8, 2003
Item Nos. 088, 089, 090, 091, 092, 093,
094, 096, and 097

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

RWB:CEN:jrb

cc: File

(SHEET N.W.-13-K)

N 50,000

R.C. 5

NW 13 J

CHURCH

Red

R.C. 5

N 49,000

N 502,000

SITE

SUNDAY

RD.

04-026

W 60,000

N 48,000

E 849,000

BONNIE
MEADOW CR.

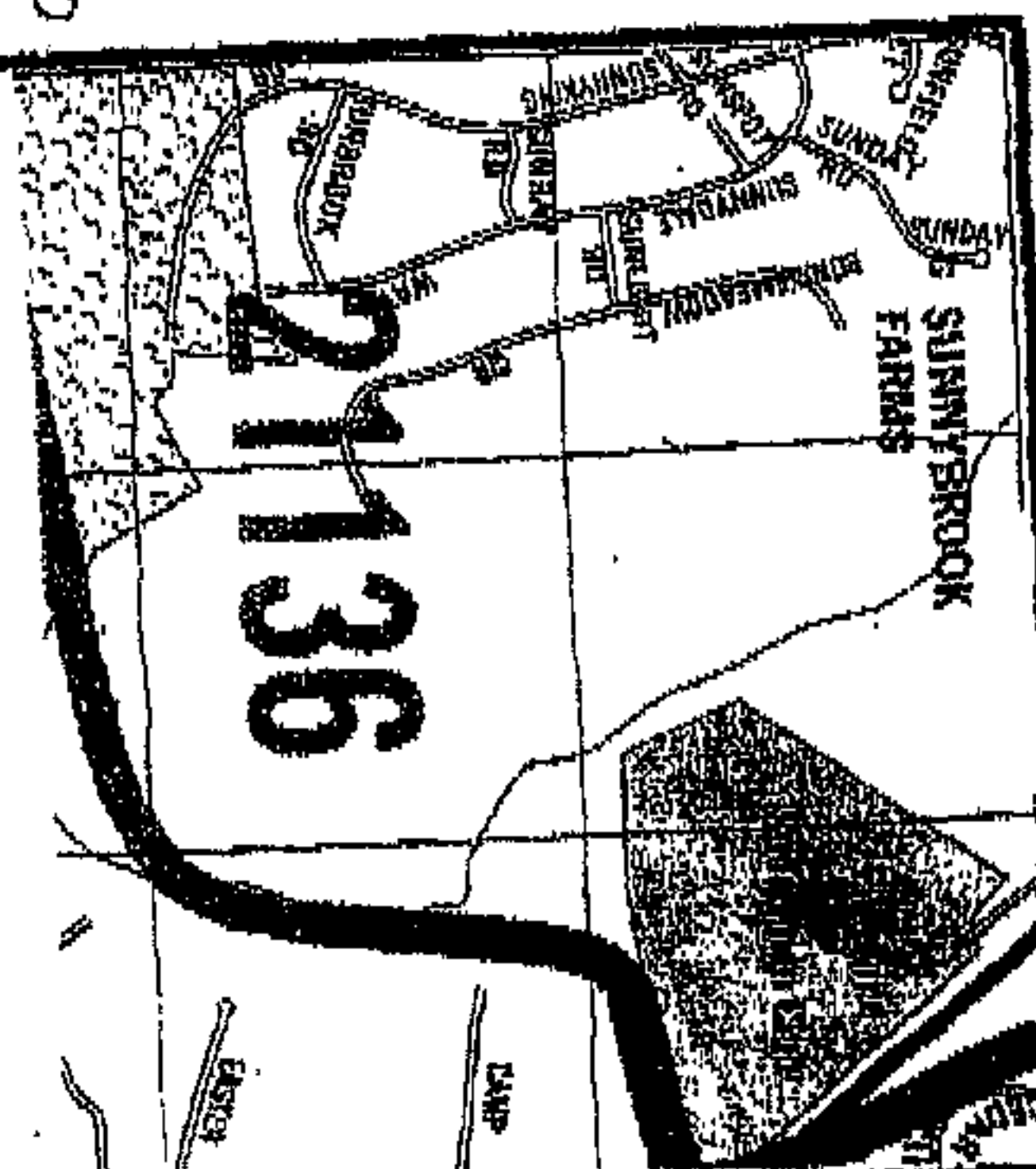
W 58,500

VARIANCE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIREMENTS

PLAT BOOK # 216 FOLIO # 81 LOT # 9 SECTION #

OWNER RONALD T. & KATHLEEN H. JACOBSON



YICINIL, WEST
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 4

COUNCILMANIC DISTRICT

NW 187
1"=200' SCALE MAP #

ZONING
R-C-S

LOT SIZE	1.037
----------	-------

ACREAGE **SQUARE FEET**

PUBLIC AFFAIRS

SEWERS

附註

**CHESAPEAKE BAY
CRITICAL AREA**

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/ BUILDING

PRIOR ZONING HEARING

ZONING OFFICE USE UNIT 1
REVIEWED BY ITEM # CASE #

William Cecil 1571-1596

pdr_0056 (2048x1536x24b jpeg)



14 Sunday Ct.

04-096

~~#087~~

pdr_0055 (2048x1536x24b jpeg)



10 SUNDAY COURT

096

~~127~~