CEDER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Western Road, 80' NE of the c/l

Western Run Road

(960 Western Run Road)

8th Election District 3rd Council District

Scott R. Winn, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 04-188-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Scott R. Winn and his wife, Thea Winn. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 1A00.3.B.3, 1970 Zoning Regulations, Bill #100, 1970) to permit a proposed single-family dwelling with side yard setbacks of 44 feet on both sides in lieu of the minimum required 50 feet, and from Sections 400.1 and 400.3 of the B.C.Z.R. to permit an existing accessory building (barn) to be located in the front yard with a height of 30 feet in lieu of the required rear yard location with a maximum height of 15 feet. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there

being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

Based upon the information contained within the case file, I am persuaded to grant the requested relief. It appears from the photographs submitted that the barn has existed on the property for some time and is sufficiently buffered by existing trees and forestation. Further, it was indicated that the location of the new house was cited based upon a 1971 drawing and that it was after excavation for the foundation was completed when it was discovered that the home was to be located approximately 50 feet further toward the front of the lot. Due to the topography of the lot and existing site conditions, it is clear that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners. It is clear that there will be no detrimental impact to adjacent properties and that the proposed improvements meet the spirit and intent of the R.C.4 zoning regulations. Moreover, there were no adverse comments submitted by any County reviewing agency; however, the Petitioners will be required to provide calculations of existing and proposed impervious areas on the property to the Department of Environmental Protection and Resource Management (DEPRM) to insure compliance with the 10% limitation.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November 2003 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 1A00.3.B.3, 1970 Zoning Regulations, Bill #100, 1970) to permit a proposed single-family dwelling with side yard setbacks of 44 feet on both sides in lieu of the minimum required 50 feet, and from Sections 400.1 and 400.3 of the B.C.Z.R.) to permit an existing accessory building (barn) to be located in the front yard with a height of 30 feet in lieu of the required rear yard location with a maximum height of 15 feet for an existing barn, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall provide calculations of existing and proposed impervious areas on the property to the Department of Environmental Protection and Resource Management (DEPRM) to insure compliance with the 10% limitation.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

(Q) (D)

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

November 19, 2003

Mr. & Mrs. Scott R. Winn 130 Archimedes Court Baltimore, Maryland 21208

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Western Road, 80' NE of the c/I Western Run Road
(960 Western Run Road)
8th Election District – 3rd Council District
Scott R. Winn, et ux - Petitioners
Case No. 04-188-A

Dear Mr. & Mrs. Winn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc;

DEPRM; People's Counsel; Case File





Date



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 960 Western Run Road

which is presently zoned RC-4 (Formerly RDP)

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)

1B02.3.B, BCZR (Section 1A00.3.B.3, 1970 Zoning Regulations - Bill 100, 1970) to permit a proposed single-family dwelling with side yard setbacks of 44 feet for both side yards in lieu of the minimum required 50 feet, and to permit an existing accessory building (barn) to be located in the front yard with a height of 30 feet in lieu of the required rear yard with a maximum height of 15 feet.

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):

				_	Thea Winn			
Name - Type or Print				Name - T	ype or Print			i
Sla	nature		<u></u>	•	Signature Signature			
	,				Scott B. Winn			
Add	iress	Tel	ephone No.	•	Name - Type or Print	2)		
City	, 	State	Zip Code	.	Signature			9,000 B ₁ - 1941 - 194
•	torney For Petitioner:	,	•		130 Archimedes	Court	410-	340-8811
	torroy , or , other,				Address	+		Telephone No.
					Baltimore	MD	212	208
Nar	ne - Type or Print	ak ka a ka pada ana ka ka	- <u> </u>	City		State	Z ip (Code
Marie de la compansión de	رون المراوي وي من المراوي و الم			₩	Representative to be	o Conta	cted:	
Sigi	nature				Scott Winn			
Cor	npany	<u>- 144-, - 1 141-, - 1</u>	. <u> </u>		Name		 	,
					130 Archimedes C	ourt	410	0-340-8811
Add	iress	Tele	phone No.	-	Address	- 4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4		Telephone No.
			**************************************	.	Baltimore		MD	21208
City		State	Zip Code	-	City		State	Zip Code
OF E	ublic Hearing having been formately of altimore County and that the proper	ally demanded and that the subject ly be reposted.	or found to matter of this	be required to be be to	ired, it is ordered by the Zonir e set for a public hearing, adver	ng Commise tised, as rec	sioner of Baltin quired by the z	nore County, this oning regulations
6	Zoning Commissioner of Baltimore County							
$\langle \mathbf{c} \rangle$	SE NO. <u>04-1</u>	88-A	Reviewed	Ву	NP Date _	10/1	4/63	i
RE	v 9/15/98		_	Estimate	d Posting Date	6/03	₩ *****************************	
					•			

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

130 Archimedes Court

Address
Baltimore MD 21208
City State

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):

Affiants assert that the property in question is unique, unusual, and different from the surrounding properties such that the uniqueness causes the zoning provision to impact more on the subject property than on surrounding properties.

Affiants further assert that strict compliance with the BCZR would result in practical difficulty in using the property for its intended purpose (single family residence). The property is zoned RC-4, which specifies no sideyard setback, but since the property was created as part of a subdivision (Willow Mill Estates) in 1971, the then-current BZCR, and the RDP designation which required a 50 foot sideyard setback, applies.

Strict compliance with this requirement would be significantly and unnecessarily burdensome due to the unique shape and topography of the lot. In order to comply with the BCZR, the house would have to be built on a slope, necessitating the relocation of several hundred cubic yards of soil, and the permanent removal of several mature hardwood trees. The optimal location for the home affiants wish to construct on the lot (as their personal residence) is approximately 50 feet toward the rear of the lot from the compliant site. This would necessitate a relief from the 50 foot setback requirement of 6 feet on either side of the lot. This relief would allow the home to be built without having to significantly alter the natural shape of the site and the surrounding foliage.

A lesser relaxation of the requirement would not give substantial relief, due to the unique shape and topography of the lot.

Affiants further assert that relief can be granted within the spirit of the ordinance and that public welfare and safety will be secured, in that the adjoining lots are wider than the property in question, with appropriate building envelopes located further to the front of the lots than on the subject property, and therefore would not be negatively impacted by granting of the relief sought.

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.

Theavenn	The state of the s
Signature	Signature
Thea Winn	Scott R. Winn
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BA	LTIMORE, to wit:
I HEREBY CERTIFY, this 20 day of	Dcfober, 2003, before me, a Notary Public of the
State pf Maryland, in and for the County af	oresaid, personally appeared
Thea Wins and Scot	A. Wins
the Affiant(s) herein, personally known or s	satisfactorily identified to me as such Affiant(s), and made oath in due form of set forth are true and correct to the best of his/her/their knowledge and belief.
INVITIAL THE HIGHER BIN INCLA REPORTABLIA	age forth are true and correct to the peat of morner, and movied go and bench.
AS WITNESS my hand and Notarial Seal	
The survey of th	
10-10-03	Jenne W Teter
Date	Notary Public
	My Commission Expires 2/2//

REV 09/15/98

ZONING DESCRIPTION FOR 960 Western Run Road Cockeysville MD 21030

Beginning at a point on the East side of the Southernmost end of Western Road, which is 30 feet wide, at the distance of 80 feet North of the centerline of the nearest improved intersecting street Western Run Road which is 40 feet wide. Being Lot #7, Section 1 in the subdivision of Willow Mill Estates, as recorded in Baltimore County Plat Book O.T.G. No. 35, Folio 25, containing 3.113 acres. Also known as 960 Western Run Road and located in the 8th Election District, Councilmanic District.

5 PINK AGEN

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CERCETCATE OF POSTING

ATTE	NTION: BECKY HART	Date: 10/24/03
RE:	Case Number 04-188-A Petitioner/Developer: Scott Winn Date of Hearing Closing: November	10,2003
were	This is to certify under the penalties of perjurposted conspicuously on the property located	y that the necessary sign(s) required by law at960_WESTERN RUN ROAP
	_	Fou 24,2003 (Month, Day, Year)
160 WESTERN RUN		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)
-		(Telephone Number of Sign Poster)

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case Number 04 188 -A Address 960 Western Run Road
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Filing Date: 16/14/03 Posting Date: 10/26/03 Closing Date: 11/10/03
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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. <u>DEADLINE:</u> 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.
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. (Detach long Dotter Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 04 188 - A Address 960 Western Run Road Petitioner's Name Winn Telephone 410-340-8811 Posting Date 10/26/03 Closing Date: 11/10/03 Wording for Sign: To Permit a proposed single-family dwelling with side yard set backs of 44 feet for both side yards in lieu of the minimum required 50 feet, an to permit an existing a cressory building (barn to be located in the front yar with a height of 30 feet in lieu of the required rear yard with a Maximum height of 15 feet. WCR-Revised 6/28/00

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

November 10, 2003

Thea Winn Scott Winn 130 Archimedes Court Baltimore, MD 21208

Dear Mr. and Mrs. Winn:

RE: Case Number: 04-188-A, 960 Western Run Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 14, 2003.

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

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

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

u. Callibal)

WCR:klm

Enclosures

c: People's Counsel



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



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

October 27, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 27, 2003

Item No.:

183-194 (188

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: /17.28.03

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

Item No. 188 1117

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

1. J. Bredh

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Tim Kotroco					
FROM:	R. Bruce Seeley (Ub)					
DATE:	November 20, 2003					
SUBJECT:	Zoning Item # 04-188 Address 960 Western Run Road Winn Property					
Zon	ning Advisory Committee Meeting of October 27, 2003					
	partment of Environmental Protection and Resource Management has no ints on the above-referenced zoning item.					
	Department of Environmental Protection and Resource Management offers following comments on the above-referenced zoning item:					
	X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Section 14-331 through 14-350 of the Baltimore County Code).					
	X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).					
<u></u>	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).					
Ado	litional Comments:					

Reviewer:

Brian Lindley

Date: November 17, 2003

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley RBs /TLT

DATE:

October 30, 2003

SUBJECT:

Zoning Item <u>188</u>

Address

960 Western Run Road

Zoning Advisory Committee Meeting of 10/29/03

Provide calculations of the percent of existing impervious area to be on the plan and the limitation of 10% of the plan.

Reviewer:

Wally Lippincott

Date: 10/29/03

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: October 28, 2003

RECEIVED

ZONING COMMISSIONER

Zoning Advisory Petition(s): Case 04-188, 04-190, and 194

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.

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 13, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits &
Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 3, 2003

Items Nos. 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, and 194

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

RWB:CEN:jrb

cc: File

October 15, 2003

Office of the Zoning Commissioner
Baltimore County
400 Washington Avenue
Towson MD 21204

Dear Sir:

Attached please find our application for an Administrative Variance. While the application spells out the required legal information associated with the application, this letter may help to clarify the circumstances surrounding our decision to request a variance.

We recently began construction of our new home on the subject property. When the excavation was completed for the foundation, we discovered that the actual site for the home as approved on our building permit is approximately 50 feet toward the front of the lot from where we originally intended the home to be located. Additionally, our builder advised that we would be subject to significant additional cost for the project due to the additional excavation necessitated by the movement of the actual home site to a conforming location on the property. It seems that the plat used to plan and locate the home was hand-drawn back in 1971, and is inaccurate. In order to conform to the side yard setback requirement of the RDP zoning, we had to move the home as mentioned.

We would like to be able to build the home at the spot we had originally chosen, and where the previously-existing foundation stood, for a number of reasons. Among these reasons:

- -The optimal site on the lot for the home we have contracted to build would be on the crest of the small hill where we originally intended to build it, allowing the walkout basement to be realized without significant additional excavation.
- Several mature hardwood trees would be saved by allowing us to build at the initially chosen site.
- -The unique topography of the lot allows the home to take advantage of the view to the rear of the property from the requested site. The site which conforms is too far from the valley to enjoy the same advantage.
- The building envelope on each of the adjoining lots and the forestation between the building envelopes provide a significant separation between the lots, and limit the visibility from lot to lot, such that the effect of approval of our request on the neighboring parcels would be negligible.

Thank you for consideration of our request, and please contact us should you have any questions regarding this matter. We are naturally quite anxious to get started once again on the construction project, and limit our costs in further delays, so we would be happy to cooperate and assist in whatever way we can to obtain the approval we seek.

Sincerely,

Thea and Scott Winn

- 11. Golf driving ranges, miniature-golf ranges, or baseball-batting ranges.
- 12. Helistops.
- 13. Marinas.
- 14. Public-utility uses not permitted as of right.
- 15. Residential art salons (see Section 402C).
- 16. Riding stables (commercial or noncommercial).
- 17. Sanitary landfills (see Section 412).
- 18. Shooting ranges.
- 19. Volunteer-fire-company facilities.
- 20. Wireless transmitting and receiving structures, except that a radio antenna in conjunction with transmitting and receiving facilities used by a resident amateur radio operator possessing an amateur radio operator's license issued by the Federal Communications Commission shall be considered an accessory structure or, if attached to another structure, an accessory use, and, as such, is permitted without a special exception, provided: (a) that if it is an accessory structure, it shall be subject to the provisions of Section 400; (b) that if it is a rigid-structure antenna, it shall be no higher than 100 feet or the horizontal distance to the nearest property line, whichever is less, above grade level, and no supporting structure thereof shall be closer than 50 feet to any property line; and, further, (c) that it does not extend closer to the street on which the lot fronts than the front building line
- 21. Large-scale unit developments, as provided in Section 430

1A00.3—Height and Area Regulations. [Bill No. 100, 1970.]

- A. Height. No structure in an R.D.P. zone shall exceed a height of 35 feet, except as otherwise specifically provided in these Zoning Regulations (see Section 300). [Bill No. 100, 1970.]
- B. Area Regulations. [Bill No. 100, 1970.]
 - 1. Lot Area. No lot less than 1 acre in net area shall be hereafter created in an R.D.P. zone, subject to attaining percolation tests satisfactory to the Baltimore County Department of Health and conforming to the applicable health requirements. [Bill No. 100, '1970.]
 - 2. Minimum Linear Dimension. Except as otherwise provided in Subparagraph 3, below, the minimum linear dimension of any lot hereafter created in an R. D. P. zone shall be 150 feet. For the purposes of these regulations, the minimum linear dimension of any lot shall be the diameter of the largest circle in a horizontal plane which may be inscribed within the lot boundaries. [Bill No. 100, 1970.]
 - 3. The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet; the minimum distance between the building and the center line of any street shall be 75 feet. [Bill No. 100, 1970.]

960 Western Run Road

Pictures to Support Administrative Variance Application

Thea & Scott Winn
Case # 04-188-A

View from Front



• This is the view from the front (Western Run Road side) of the property up the driveway toward the barn.

Trees



• This is a view of the trees that would be saved by approval of the variance. The trees appear to be about 50 years old, and are in good shape. If the house is built in the currently approved location (where the site is excavated in the foreground), they will have to be removed, along with several smaller trees, as they are too close to the house. We would like to save them, and that is one of the main reasons for the variance application.

View to Rear of Site



• This is the view from the excavated home site looking to the rear. There is a significant amount of soil that would have to be removed in order to build the walkout basement that are in the plans as approved and for which a building permit has been granted. This is the main reason for the variance application - we want to avoid having to move hundreds of yards of soil.

View of Adjoining Property to North



• This is the property (vacant) adjacent to the parcel in question immediately to the North, known as P412, "Tract A". Our barn is in the left foreground, and the house in view is across Western Road. The rest of the lot, out of the picture to the right, is completely covered with trees and multiflora rose.

View of Adjacent Lot to South



• This is the adjacent lot to the south of the property. It is vacant.

View to Rear



• This is the view toward the rear of the property, toward Western Run, which is in the valley below.

View to Left Front



• This is the view toward the left front of the property, looking out from the proposed home site toward the street. The corner of Western Run Road and Western Road is visible on the left, with our property boundary stake at the center of the picture.

View from Left Front Inward



• This is the view from the left front of the property (on Western Run Road) inward. The barn is in the center and some debris (being removed) from the razing of the existing home foundation are visible on the right.

View of Western Run Road from Left Front



• This is the view of Western Run Road from the left front of the property. The home of Charlie and Diane Carroll in the center of the picture is just across the road from the property.

Back Yard with Old Foundation (Razed)



• This is a view of what will be the back yard to the new home, with part of the old home's foundation visible on the right. It has since been razed and is being removed by our builder. The trees are along the property line separating our lot from the vacant lot to the south. Similar trees separate our lot from the lot on the north side as well.

Foundation Removal



• This is a photo of the old foundation being removed. It was unsafe, and we had it razed and it is being hauled away by our builder. The Hank Ackerman home across Western Run Road is visible in the center of the picture.

Barn



• This is the existing barn that is part of the variance request.



