ORDER RECEIVED FOR FILING
Date

IN RE: PETITION FOR ADMIN. VARIANCE

W/S Nunnery Lane, 140' S of the c/l

Merrill Road

(100 Nunnery Lane)

1<sup>st</sup> Election District

1<sup>st</sup> Council District

Christine Seipp Petitioner

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* Case No. 04-194-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 owner of the subject property, Christine Seipp. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the required 10 feet for a proposed 24' x 14'6" addition. 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 was indicated that the proposed addition is necessary to provide more living

space for the Petitioner's growing family. As shown on the site plan, the proposed addition will be located on the side of the dwelling facing an alley. Moreover, an existing tree and tall bushes will screen the proposed addition from the alley and adjacent property beyond. There were no adverse comments from any County reviewing agency and there is apparently no opposition from any of the neighbors. Thus, the relief requested will be granted.

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.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the required 10 feet for a proposed 24' x 14'6" addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her 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.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

### **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 20, 2003

Mr. Christine A. Seipp 100 Nunnery Lane Baltimore, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE W/S Nunnery Lane, 140' S of the c/l Merrill Road (100 Nunnery Lane)

1<sup>st</sup> Election District – 1<sup>st</sup> Council District

Christine A. Seipp - Petitioner

Case No. 04-194-A

Dear Ms. Seipp:

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:

People's Counsel; Case File





# Petition for Administrative Variance

to the Zealing Commissioner of Baltimore County

MRYLAM	for the property locate	ed at	JUNNER Bati	rinore, mD	21228
	w	hich is pres	ently zo	ned <u>fess</u>	doc BiotoR
owner(s) of the property situ	I with the Department of Permits an late in Baltimore County and which is o petition for a Variance from Section(s)	described in the	descriptio	ment. The under n and plat attach	ersigned, legal ed hereto and

permit A side gard get Back of 3ft in Lion of the required 10th For an 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 de perjury, that I/we are is the subject of this	clare and affirm, under to the legal owner(s) of the Petition.	he penalties of e property which
Contract Purchaser/Less	see:		Legal Owner(s):		
Name - Type or Print Signature			Manya Type or Print Signature	re Anné July	Seipp
Address	<del></del>	Telephone No	Name - Type or Print	<del></del>	
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Attorney For Petitioner:  Name - Type or Print			Address Baltimor	ed Md.	Telephone No.
reaction type of the time			Renresentative	' State to be Contacted:	Zip Code
Signature Sompany			Name	me comacted.	· • · · · · · · · · · · · · · · · · · ·
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Section	State	Zıp Code	City	State	Zip Code
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CASH NO	<u> </u>		mated Posting Date	10-26-03	
- U					The state of the s

# 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

		Ba	Himore	m D	21228
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	ND, COUNTY OF BAL				
I HEREBY CERTIFY, of Maryland, in and for	this <u>12</u> hday of the County aforesaid,	personally appe	ared , <del>JC</del>	<u>∂  } ,</u> before me, a Notai	ry Public of the State
the Affiant(s) herein, p	ersonally known or sat	isfactorily identif	ied to me as suc	h Affiant(s).	
AS WITNESS my han	d and Notarial Seal		1 10		
• •		NO	ary Public	Gelas)	
	Paul			pires $11/\sqrt{0}/\sqrt{0}$	,
REV 10/25/01	Paul Maryano ARY Publish My Com	Baltimore County State of Maryland Imission Expires Nov. 1,	2005		

# Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at

	Address	4	~ · ·
	City Bu Hin	nore MD State	2 12-28 Zip Code
That based upon personal knowledge, the folio Variance at the above address (indicate hardship now how 3 kids need nork out Bedrooms ad	wing are the facts up ip or practical difficulty L He room	on which I/we base the i	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature  Christine Anne Seirp	additional information.	d, Affiant(s) will be requ	ired to pay a reposting and
Name - Type or Print	Nam	e - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTING  HEREBY CERTIFY, this 13th day of 10th of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfation.	rsonally appeared		, a Notary Public of the State
AS WITNESS my hand and Notarial Seal  REV 10/25/01  REV 10/25/01  REV 10/25/01  REV 10/25/01  REV 10/25/01	Notary Public Maryland on Expires Nov. 1, 2005	ic Sold Sicon Expires 11/1/	65



REV 10/25/01

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at Ba Hi wore, m.b. 21228 which is presently zoned project from ORIO, S

Estimated Posting Date 10.26.03

This Petition shall be filed owner(s) of the property situmade a part hereof, hereby	iate in Baltimo	re County and wh	ich is described in the	description and plat atta	ached hereto and
made a part hereof, hereby	de yard	Sctbach	3 P+ ;	>- C. / SB	C ZB, 178
Required 10					
of the zoning regulations of of this petition form	Baltimore Cou	inty, to the zoning	law of Baltimore Coun	ity, for the reasons indic	ated on the back
Property is to be posted and I, or we, agree to pay expenses regulations and restrictions of E	s of above Varia	ance, advertising, po	osting, etc. and further a	gree to and are to be boull Itimore County.	nded by the zoning
				declare and affirm, under the the legal owner(s) of the is Petition.	
Contract Purchaser/Les	see:		Legal Owner(s	<u>3):</u>	
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Attorney For Petitioner:			Andress Way	24 LANC 411	Telephone No.
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City	State	Zıp Code	City	State	Zip Code
A Public Hearing having been fo this day of regulations of Baltimore County and	rmally demande that that the property	d and/or found to be the subject matter of be reposted	required, it is ordered by this petition be set for a pul	y the Zoning Commissioner of blic hearing, advertised, as re	of Baltimore County, equired by the zoning
CASE NO. OY	-1941	4	•	nmissioner of Baltimore Cour	•
CASE NO.	1 1 [ ]	/ Re	viewed Bv 🕒 🗘	M Date / 0-14	03

### ZONING DESCRIPTION FOR 100 NUNNERY LANE

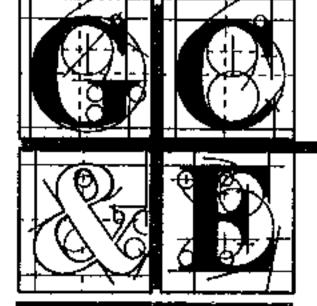
Beginning at a point on the west side of Nunnery Lane, which is approximately 20 feet wide, at a distance of approximately 140 feet SW of the nearest improved intersection which is Merrill Rd. which is approximately 20 feet wide.

Located in the 01 Election District, 1 Councilmanic District.

Metes and Bounds N28 59W 50 FT., N67 16E 111.07 FT., S42 08E 30.23 FT. S29 11E 20.72 FT., S67 11W 113. FT.

BALTIMORE COUNTY, MAI OFFICE OF BUDGET & FINANCE	RYLAND	74 No.299			
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DISTRIBUTION WHITE CASHIER PINK AGENCY	YELLOW - CUSTOMER			CASHIER'S VALIDATION	

1.



LIMITED

## Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

#### **CERTIFICATE OF POSTING**

RE: CASE NO. 04-194 A
PETITIONER/DEVELOPER:
Christine Seipp
DATE OF HEARING:
N/A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

**ATTENTION: REBECCA HART** 

**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

LOCATION: 100 Nunnery Lane



ON: October 26, 2003

**POSTED** 

SIGNATURE OF SIGN POSTER

DATE:

October 27, 2003

**BRUCE DOAK** 

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

-A

Case Number +3

Contact Person:

Address 100 NUNNERY

Phone Number. 410-887-3391

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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

### ZONING REVIEW

# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 Adver	tising.	100		
Item Number or Case N		194		- <u></u>
PetitionerCV	vis Seipp	1 Frank		<del></del>
Petitioner	100 Nun	nery La	e, Baltimo	re, MD 21228
PLEASE FORWARD A	DVERTISING BIL	LTC		
Name				
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Telephone Number:	410-788	-5859	Cell (Frank) 4	10-456-
				6609

## Department of Permits and Development Management

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





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

November 10, 2003

Christine Anne Seip 100 Nunnery Lane Baltimore, MD 21228

Dear Ms. Seip:

RE: Case Number: 04-194-A, 100 Nunnery Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 16, 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 D

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.:

183-494

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

JCM

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.28.03

Baltimore County

Item No. 194

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

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.

RE:

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,

L. J. J. L. Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

## 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

OCT 3 0 2003

ZONING COMMISSIONER

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

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

10/8/03

To Whom It May Concern:

Re: Variance 100 Nunnery Lane Baltimore, MD 21228

We are applying for a variance for the addition we want to add on to our home. We need the variance because we would be closer to the property line than the limit allows. We feel that the addition will improve our home and not be a have any negative impact for the surrounding homes. We live on a block, which is mostly row homes on one end and across the street and apartments on the other end of the street, with about six single-family homes in the middle, which we are one of them.

The side that the addition will be on is facing an alleyway with a tree and tall bushes between the property and the alleyway.

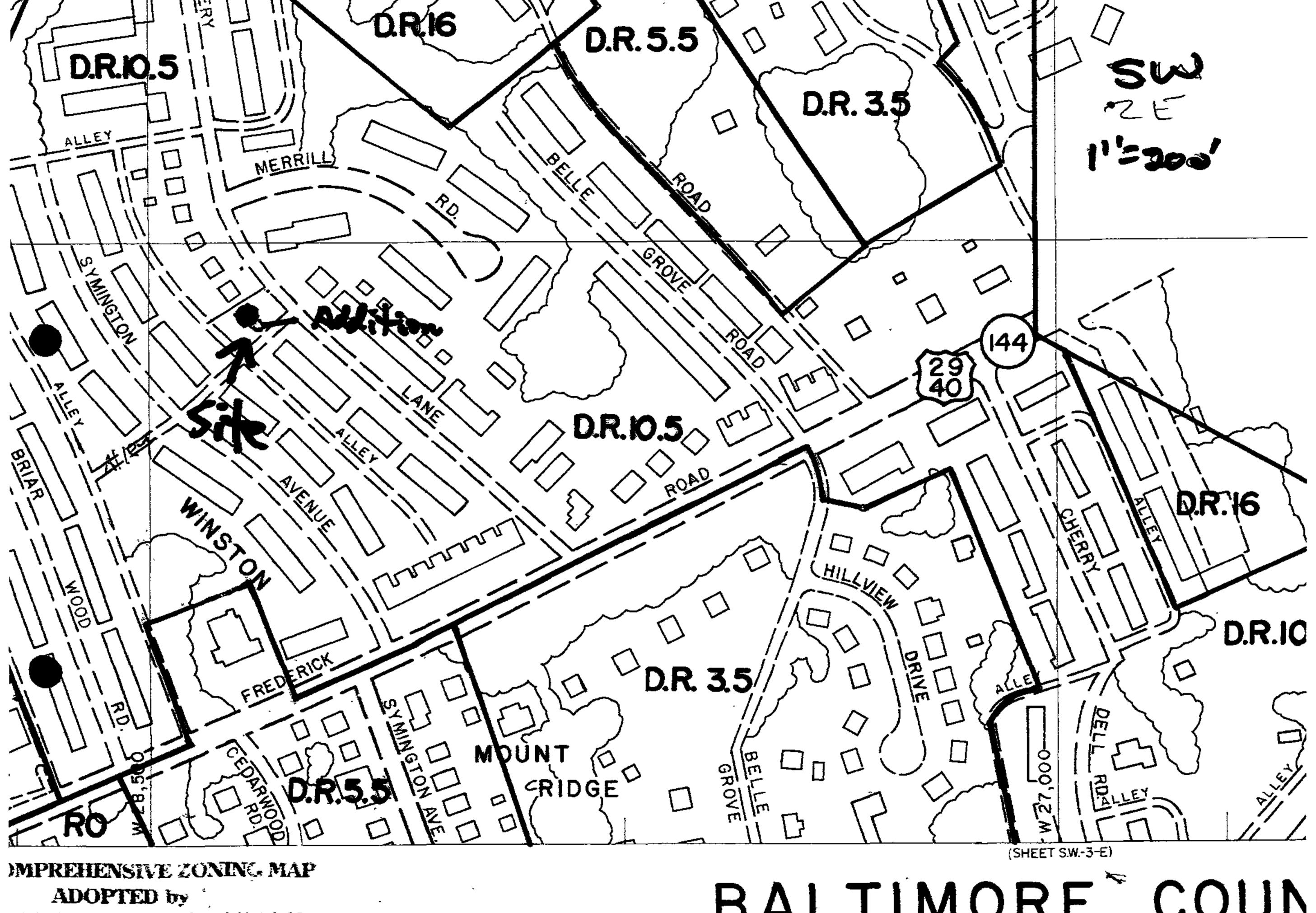
We need this addition because we recently got married on 9/19/03 and we now have two adults and three children in our family and need the extra living space, with five people and 3 bedrooms space is limited.

We can't build in back because the set back goes about 3 feet from the back of the house and we also have a screened in deck in the back and it would be out of our budget to have that taken down and add the addition and rebuild the deck. Please if you have any questions, please feel free to cal me at the following numbers.

Work 410-284-9395 Cell 410-456-6609 Home 410-788-5859

Thank you,

Frank Grieco



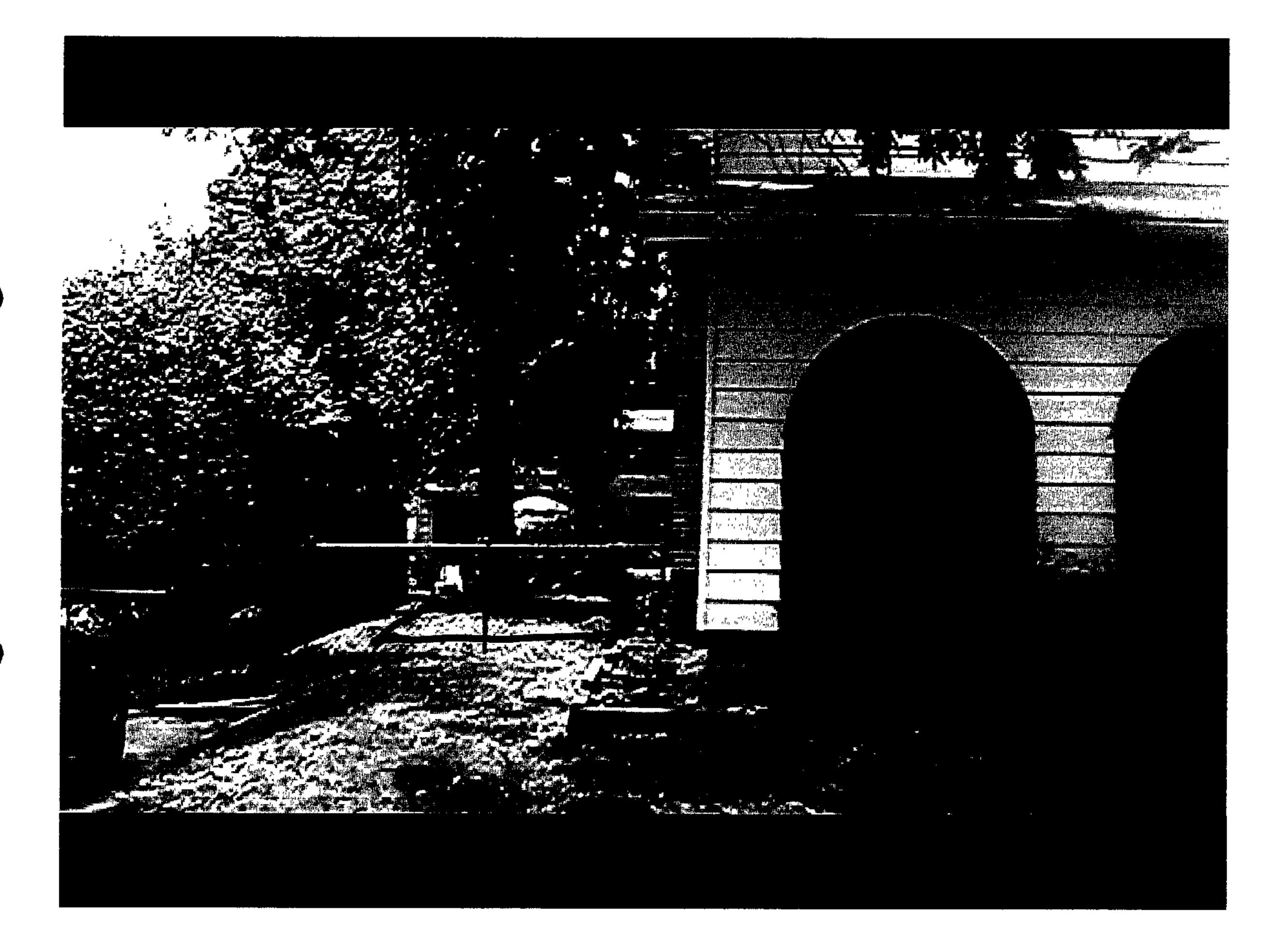
LTIMORE COUNTY COUNCIL

OCTOBER 10, 2000

8-00, 89-00, 90-00, 91 (9), 92-00, 93-00,

BALTIMORE COUN OFFICE OF PLANNING AN





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