IN RE: PETITION FOR ADMIN. VARIANCE S/S of Ivy Hill Road, 9,500 ft. E centerline of Falls Road 8th Election District 2nd Councilmanic District **(1201 Ivy Hill Road)** Robert E. Jensen *Petitioner*	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 04-218-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 owner of the subject Robert E. Jensen. The variance request is for property located at 1201 Ivy Hill Road in the Cockeysville area of Baltimore County. The variance request is from Section 1A.03.4B.2R of the Baltimore County Zoning Regulations (B.C.Z.R.), to provide a 10 ft. setback in lieu of the required 25 ft. for an 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 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER Date 12/1/03 By J. Jenkins

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 1st day of December, 2003, that a variance from Section 1A.03.4B.2R of the Baltimore County Zoning Regulations (B.C.Z.R.), to provide a 10 ft. setback in lieu of the required 25 ft. for an 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 his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED
DATE 12/1/03
BY

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

December 1, 2003

Mr. Robert E. Jensen
1201 Ivy Hill Road
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 04-218-A
Property: 1201 Ivy Hill Road

Dear Mr. Jensen:

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,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

Printed on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1201 IVY HILL RD

which is presently zoned RC4

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)

1A.03.4B.2R

Provide a 10' setback in lieu of the required 25 ft.

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 Robert E Jensen
Name - Type or Print

Signature

Name - Type or Print

Signature

1201 Ivy Hill Rd 410 561 5345
Address Telephone No.

Cockeysville, MD 21030
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No

City State Zip Code

ORDER RECEIVED FOR FILING
Date 12/1/03
By

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 04-218-A

Reviewed By BN **Date** 10/31/03

Estimated Posting Date 11/9/03

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 1201 Ivy Hill Rd
Address

Cockeysville MD 21030
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):

The owner wishes to add an attached 2-car garage w/ mudroom and a new Master Bedroom addition to the side yards of this existing house. The buildable area of the site is limited. The steeply sloping back yard it is difficult to build upon. It also contains the septic reserve. The back yard also contains some large trees, which we desire to preserve. The front yard is the flattest area of the site and we hope to preserve it for automobile access and a play area. Thus in order to construct the area of addition required and get automobile turning radius into the garage, additional area for construction is needed on the side yard.

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.

X

Signature

Signature

Name - Type or Print

Robert E Jensen
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of October, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Robert E. Jensen 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 6/1/05

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.

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Address

Cockeysville MD 21030
City State Zip Code

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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

Name - Type or Print

Robert E Jensen
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of October 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Robert E. Jensen 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 6/1/05

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1201 IVY HILL ROAD

which is presently zoned RC4

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)

1A.03.4B.2R

Provide a 10' setback in lieu of the required 25'

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):

Robert E Jensen
Name - Type or Print

Signature

Name - Type or Print

Signature

1201 Ivy Hill Rd 410 561 5345
Address Telephone No

Cockeysville, MD 21030
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.

Zoning Commissioner of Baltimore County

CASE NO. 04-218-A

Reviewed By BM **Date** 10/31/03

Estimated Posting Date 11/9/03

REV 10/25/01

LEGAL DESCRIPTION 1201 Ivy Hill Road

From a point at the east side of Falls Road 9500 feet along the center line of Ivy Hill Road to a point of beginning of the property, thence N 83 23' 20" E 144.46, then S 86 54 20 E 92.64', then S 83 46' 40" E 143.65', then S 75 47'40 E 94.00' all along the centerline of Ivy Hill Road. Then turning off Ivy Hill Road S 68 33' 00"W 420.45' to corner. Then N23 40' 30' 196.00' to the point of beginning. To form a triangular parcel of 1.1207 acres.

#218

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 30501

DATE 10/31/03 ACCOUNT R001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: Douglas A Assex

FOR: Alarm Variance

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 218

PAID RECEIPT
CLIENT RECEIPT
MISCELLANEOUS ACTUAL TIME
11/03/2003 10/31/2003 11:10:41
MISC MISC WALKIN WALK IN
>>RECEIPT # 206402 10/31/2003
Dept 5 ZONING VERIFICATION
CK NO. CASHIER
Amount Due $65.00
$65.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: BECKY HART

Date: Nov. 8, 2003

RE: Case Number 04-218-A

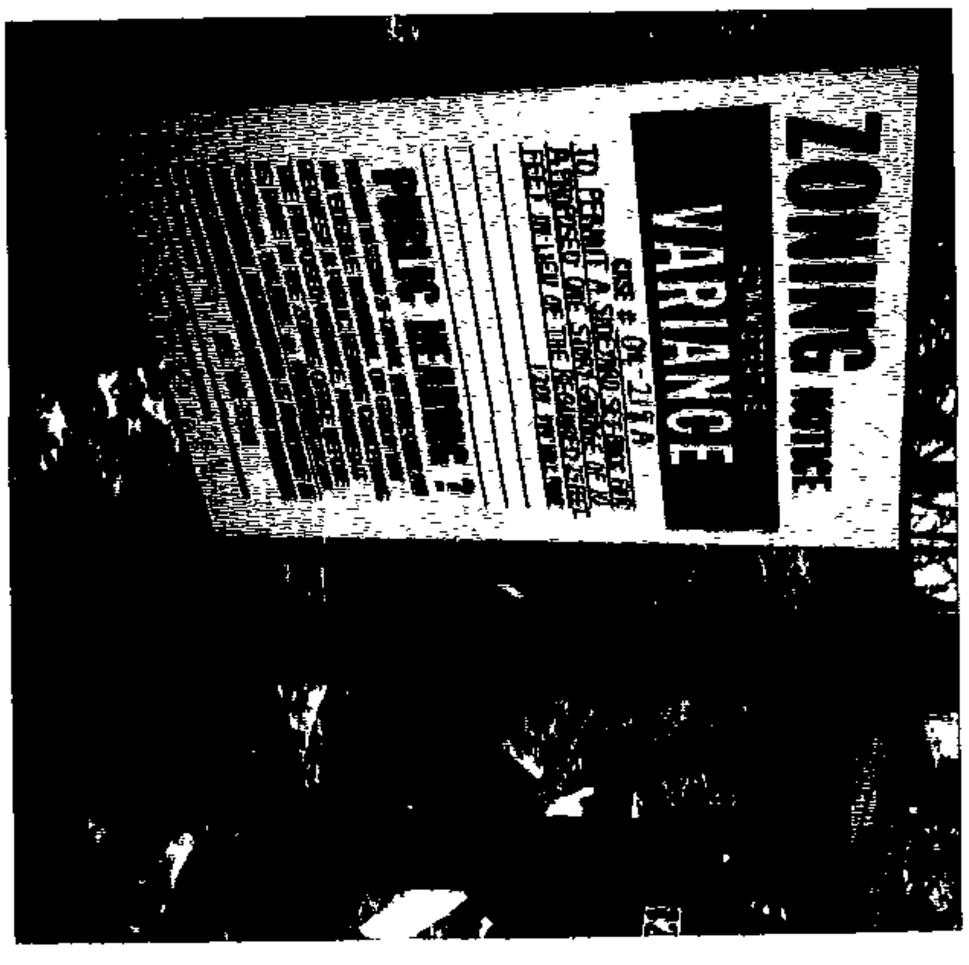
Petitioner/Developer: ERAN JENSON

Date of Hearing/Closing: NOVEMBER 24, 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 1201 IVY HILL ROAD

The sign(s) were posted on NOVEMBER 8, 2003
(Month, Day, Year)

Linda O'Keefe
(Signature of Sign Poster)



1201 IVY HILL RD

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)

Revised 3/1/01 - SCJ

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04-218-A Address 1201 Ivy Hill Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/31/03 **Posting Date:** 11/9/03 **Closing Date:** 11/24/03

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.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 04-218-A Address 1201 Ivy Hill Rd.

Petitioner's Name Robert Jensen Telephone 410-561-5345

Posting Date: 11/9/03 **Closing Date:** 11/24/03

Wording for Sign: To Permit a side yard setback for a proposed 1-story garage of 10 ft. in lieu of the required 25 ft.

WCR - Revised 6/28/00

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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: 04-218-A

Petitioner: ROB JENSEN

Address or Location: 1201 IVY HILL RD. COCKEYSVILLE MD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT JENSEN

Address: 1201 IVY HILL RD.
COCKEYSVILLE MD 21030

Telephone Number: 410.561.5345

Revised 2/20/98 - SCJ

Baltimore County
Department of Permits and
Development Management

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

November 24, 2003

Robert Jensen
1201 Ivy Hill Road
Cockeysville, MD 21030

Dear Mr. Jensen:

RE: Case Number: 04-218-A, 1201 Ivy Hill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 31, 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

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

November 12, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 10, 2003

Item No.: 207-210, 213-219 218

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 21, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For November 17, 2003
Item Nos. 207, 208, 209, 210, 212,
213, 214, 216, 217, 218, and 219

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 10, 2003

RECEIVED
NOV 1 0 2003
ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case 04-218 and 04-219**
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: Lyn Lanham

AFK/LL

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
Driven to Excel
State Highway Administration

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11.10.03

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

RE: Baltimore County
Item No. 218 BPR

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).

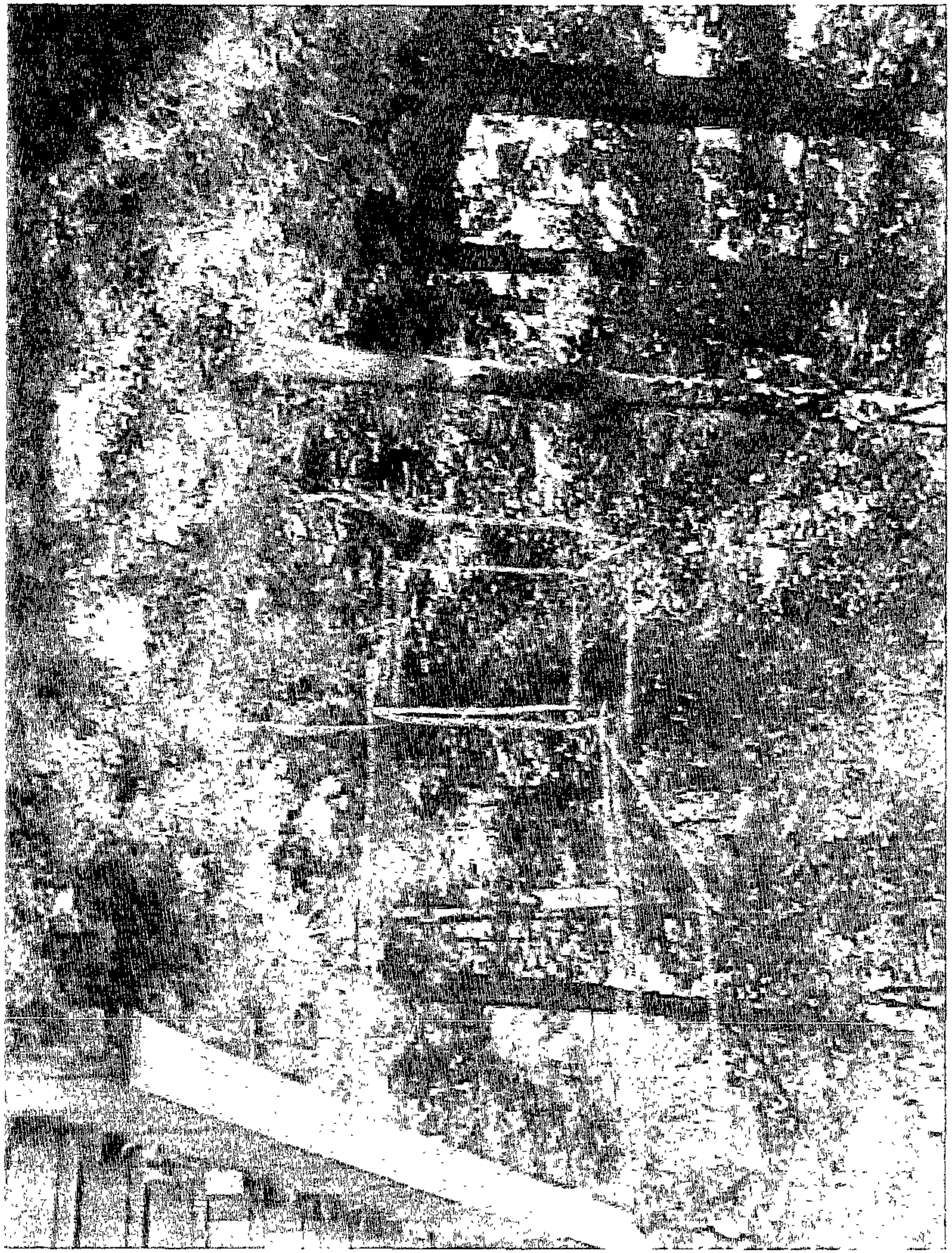
Very truly yours,

K. A. McDonald

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

H-218

Fig. 218



Pl. 24

#28

View #5 - From West property line looking west

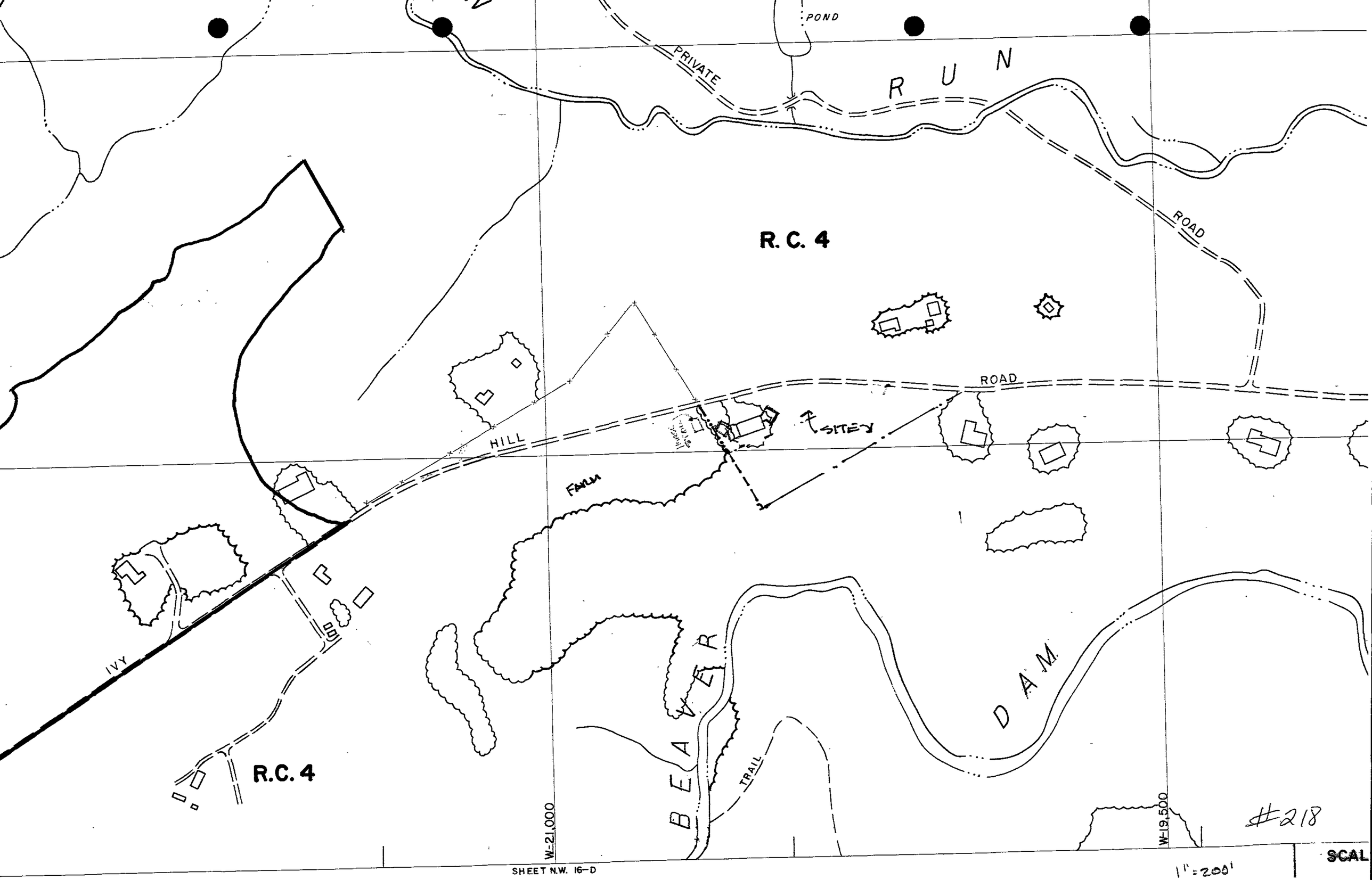
#218

View #6 On deck in rear yard - looking SW down sloping back yard.

H-218

View #7 - On deck in rear yard - looking SE toward neighbor and down sloping back yard.

#218


POND
PRIVATE
RUN
ROAD
R.C. 4
ROAD
HILL
SITE
FARM
IVY
R.C. 4
BEAVER
TRAIL
DAM
W-21,000
W-19,500
#218
SHEET N.W. 16-D
1" = 200'
SCAL

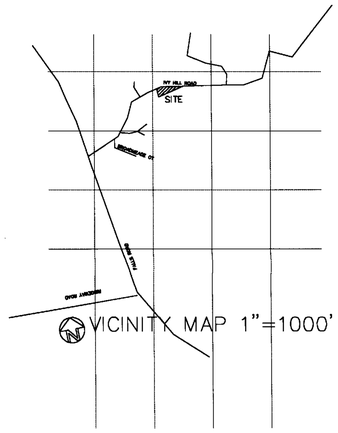
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS– 1201 IVY HILL ROAD – COCKEYSVILLE MARYLAND

SUBDIVISION NAME:

PLAT BOOK: FOLIO; LOT# SECTION#

OWNER: ROBERT E. JENSEN



LOCATION INFORMATION

Councilmanic District : 2

Election District: 8

1" = 200' scale map: NW 17–D

Zoning: RC 4

Lot Size: 1.1207 ACRES

Sewer : Private

Water: Private Well

Chesapeake Bay Critical Area: No

100 Year Flood Plain : No

Historic Property: No

Prior Zoning Hearings: None

Zoning Office Use Only

reviewed by:	item #:	case #:
BR	218	04-218-A

PREPARED BY : DANIELS ARCHITECTS SCALE OF DRAWINGS 1"= 20"–0"

DANIELS & ASSOCIATES
ARCHITECTS, Ltd.
1426 Broadway Road Suite #100
Timonium, MD 21093 (410) 560-3588

RESIDENCE OF:
Mr. & Mrs. Robert Jensen
1201 IVY HILL ROAD COCKEYSVILLE TIMONIUM MARYLAND 21030

Date: 10/30/2003

Revisions

No.	Date	Reference

Drawing Title
SITE PLAN
1" = 20'–0"

Drawing Number
A1