IN RE: PETITION FOR ADMIN. VARIANCE W/S of Blake Court,

587 ft. SW of Tarragon Road

4th Election District

4th Councilmanic District

(22 Blake Court)

Gail & David Aaron

Petitioners

* BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 04-223-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Gail and David Aaron. The variance request is for property located at 22 Blake Court in the Reisterstown area of Baltimore County. The variance request is from Sections 1B01.2.1, 1B01.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 504 (1970 Zoning Regs., Bill No. 100-1970) and Section V.B.3.b. (1970 Comprehensive Manual of Development Policies (C.M.D.P.), to permit a proposed addition with a building to building separation of 22 ft. in lieu of the minimum required 25 ft., and to amend the Final Development Plan for "Berryman's Hollow", Section 2, Block A, Lot 15, to permit construction outside the building envelope in the front and side yards as shown on the final development plan. 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 Deputy Zoning

ORDER FOR SIGNATURE BY COMPANY OF THE STATE OF THE STATE

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.

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.

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.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

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 3, 2003

Mr. & Mrs. David Aaron 22 Blake Court Reisterstown, Maryland 21136

> Re: Petition for Administrative Variance Case No. 04-223-A Property: 22 Blake Court

Dear Mr. & Mrs. Aaron:

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,

John V. Murphy

Deputy Zoning Commissioner

John murphy

JVM:raj Enclosure

c: J. Scott Dallas 13523 Long Green Pike Baldwin, MD 21013



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



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

| for the property lo | ocated at " ZZ BUARE COURT |
|--|--|
| | which is presently zoned D.R. 3.5 |
| his Petition shall be filed with the Department of Permi wner(s) of the property situate in Baltimore County and which hade a part hereof, hereby petition for a Variance from Section | its and Development Management. The undersigned, legal ch is described in the description and plat attached hereto and on(s) |
| (1970 Zoning Regulations - Bill 100-1970) and a proposed addition with a building to build minimum required 25 feet, and to amend the F | id Section V.B.3.b (1970 C.M.D.P.) to permit ling separation of 22 feet in lieu of the linal Development Plan for Berryman's |
| Hollow, Section 2, Block A, Lot 15 to permit envelope in the front and side yards as show | Construction outside the building |
| f flore respectively to the second of the se | |
| f the zoning regulations of Baltimore County, to the zoning is fithis petition form. | aw of Baltimore County, for the reasons indicated on the back |
| Property is to be posted and advertised as prescribed by the sor we, agree to pay expenses of above Variance, advertising, postgulations and restrictions of Baltimore County adopted pursuant t | |
| | 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): |
| , , | David Aaron |
| ame - Type or Print | Name - Type of Print |
| ignature | Signature Cer- |
| ddress Telephone No. | Gail Aaron Name - Type or Print |
| ity State Zip Code | Gail Agron Signature |
| Attorney For Petitioner: | |
| | 22 Blake Ct. 410-799-6325 Address Telephone No. |
| arne - Type or Print | Reisterstown MD 21136 |
| anto - typo of t-tille | City State Zip Code |
| ignature . | Representative to be Contacted: |
| | J. Scott Dallas |
| ompany | Name |
| | 13523 Long Green Pike 410-817-4600 |
| ddfess Telephone No. | Address Telephone No. Baldwin MD 21013 |
| State Zip Code | City State Zip Code |
| Bublie Bearing 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 the property be reposted. | this petition be set for a public hearing, advertised, as required by the zoning |
| | |
| | |
| 日は、一つとうへ | Zoning Commissioner of Baltimore County |
| 35 No. 04-223.4 Rev | viewed By JNP Date (1/4/03 |

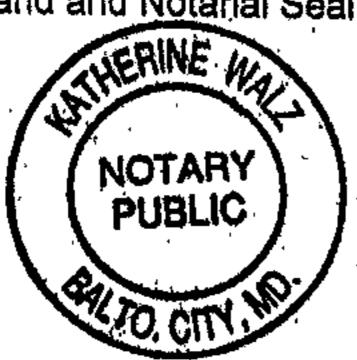
Estimated Posting Date

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 | | | ke Cour | t | | • | • | |
|--|---------------------------------------|-------------------------------|---------------------------|-----------------------|----------------|--|---------------------------------------|---------------|
| | Addre | | rstown | MD | 21136 | · . `. | , | , |
| That based upon personal knowledge, the fo Variance at the above address (indicate hards | م مسامعها | are the faci ractical diff | ts upon which iculty): | State ch I/we base | the request | for an A | Zip Co dministrat | ide tive |
| Existing driveway location and hand tight setbacks create a need addition over living space. Lichairlift and whirlpool for | vina a | oning va | riance to | o accomoda | : - | | • | |
| | • | - , | • | | * | | , , , , , , , , , , , , , , , , , , , | |
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| | | | . , . | • , | • | | • | |
| That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide | formal e additio | demand is nal informa | filed, Affiar | nt(s) will be | required to | pay a re | eposting a | and |
| Deviel alexa- | , ' | • | à | ail aan | n) | | • | • |
| David Aaron | | | Signature * | Gail Aar | | ······································ | | , |
| Name - Type or Print | · · · · · · · · · · · · · · · · · · · | · · | Name - Type | or Print | , | | | , |
| | ٠, | 1 | | | | | | • |
| STATE OF MARYLAND, GOUNTY OF BALT | | • | · | | ~~~~~ <u>.</u> | • • • • • • • • • • • • • • • • • • • | | |
| LUEDERY CERTIES AND 30 The | MOKE, | to wit: | ሳ | \A-7 | | | | |
| I HEREBY CERTIFY, this 30 day of of Maryland, in and for the County aforesaid, | personal | y appeare | ر بر <u>کر ر</u> | <u>)03</u> , befor | e me, a Nota | ary Public | of the St | tate |
| David Haron and | G | -oil | Agran | | • | | | , |
| the Affiant(s) herein, personally known or satis | sfactorily | dentified | to me as su | ch Affiant(s) | 1 | | | |

AS WITNESS my hand and Notarial Seal



Notary Public

My Commission Expires

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 record thereto.

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|---------------------------------------|-------------------|---------------------------------------|------------------------|--------------|-------------|-------------|------|----------|-------------|
| That the Affiant(s) doe | s/do presently | reside at | 22 Blake | Court | | | | 1 | |
| · · · · · · · · · · · · · · · · · · · | · · · · · | · · · · · · · · · · · · · · · · · · · | Address | | | | | <u> </u> | |
| • | | | Reisters | town | MD | 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):

State

Existing driveway location and house location, in addition to unusual lot shape and tight setbacks create a need for zoning variance to accomodate garage addition over living space. Living area in addition will accommodate chairlift and whirlpool for medical purposes.

City

Signature David Aaron Gail Aaron Name - Type or Print Name - Type or Print STATE OF MARYLAND, GOUNTY OF BALTIMORE, to wit: HEREBY CERTIFY, this 30 day of before me, a Notary Public of the State of Maryland, in and for the Gounty aforesaid, personally appeared and the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

Notary Public

My Commission Expires

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.

REV 10/25/01

AS WITNESS my hand and Notarial Seal

THERINE.

NOTARY

PUBLIC



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

| , CRYLING | for | the property lo | cated at # 22 BI | LAKE COUR | r · |
|---|--|--|--|--------------------------------------|---|
| | •• | | which is presentl | y zoned! | D.R. 3.5 |
| This Petition shall be owner(s) of the property made a part hereof, her | | | ts and Development Ma th is described in the desc on(s) | cription and pla | it attached hereto and |
| minimum required | 25 feet, and 2, Block A, I | itilding to build to amend the F ot 15 to permit | d Section V.B.3.b (ing separation of 2 inal Development Pl construction outsi n on the F.D.P. | 1970 C.M.D. 2 feet in l | .P.) to permit lieu of the |
| of the zoning regulation of this petition form. | s of Baltimore Co | ounty, to the zoning la | w of Baltimore County, fo | or the reasons | indicated on the back |
| Property is to be posted I, or we, agree to pay exp regulations and restriction | enses of above va | Manca advertiging not | zoning regulations. sting, etc. and further agree the zoning law for Baltimor | to and are to be e County. | bounded by the zoning |
| • | | ' - | I/We do solemnly decla perjury, that I/we are the is the subject of this Per | e legal owner(s) | nder the penalties of of the property which |
| Contract Purchaser | /Lessee: | | Legal Owner(s): | 1 | |
| • · · · • · · · · · · · · · · · · · · · | | • | David Aaron | | |
| Name - Type or Print | | | Name - Type of Print | | · |
| Signature | | | Signature | | · |
| Address | ······································ | Telephone No. | Gail Aaron Name - Type or Print | ···································· | |
| Cíty | State | ZIp Code | Signature | | " |
| Attorney For Petitio | <u>ner:</u> | i i | 22 Blake Ct. | 410-7 | 799-6325 Telephone No. |
| Marna Tuna as Deint | · · · · · · · · · · · · · · · · · · · | · | Reisterstown | MD | 21136 · |
| Name - Type or Print | • | | City | Stat | e Zip Code |
| Signature | | | Representative to | <u>be Contacte</u> | <u>d:</u> |
| | · | <u> </u> | J. Scott Dal | las | • |
| Company | | , | Name 13523 Long G | reen Pike | 410-817-4600 |
| Address | | Telephone No. | Address Baldwin | MD | Telephone No. |
| City | State | ZIp Code | City | Stat | |
| A Public Hearing having be this day of egulations of Baltimore Cour | en formally demand that the prope | ded and/or found to be at the subject matter of the rty be reposted. | required, it is ordered by the is petition be set for a public he | Zanina Camusiasi | |
| | | | Zoning Commiss | sioner of Baltimore | County |
| CASE NO. | 04-223 | 4 Rev | lewed By JNP | Date | 11/4/03 |
| REV 10/25/01 | | Esti | mated Posting Date | <u> </u> | 103 |

I/We have read the **Petition For Variance** to the Zoning Commissioner of Baltimore County presented by the Aaron's for the Property located at #22 Blake Court and understand and agree to the conditions and have no problem with the Variance as is stated, "To allow an attached garage addition over living space with a front setback of 26 feet, sideyard of 6 feet and setback to a 24' high neighboring dwelling of 22 feet in lieu of the required 30 feet, 10 feet and 25 feet respectively.

| 10/29/03 | | |
|---|----------------------------|-----|
| Date: | | |
| 9 Blake Court, Reisterstown, Maryland 21136 Address Ted Gross | (410) 526 39 Telephone: | 911 |
| Name (print) | | |
| Name (sign) | | |
| Name (print) | | |
| Name (sign) | | |

J. S. DALLAS, MC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE P.O. BOX 26 BALDWIN, MD 21013 (410) 817-4600 FAX (410) 817-4602

ZONING DESCRIPTION OF # 22 BLAKE COURT

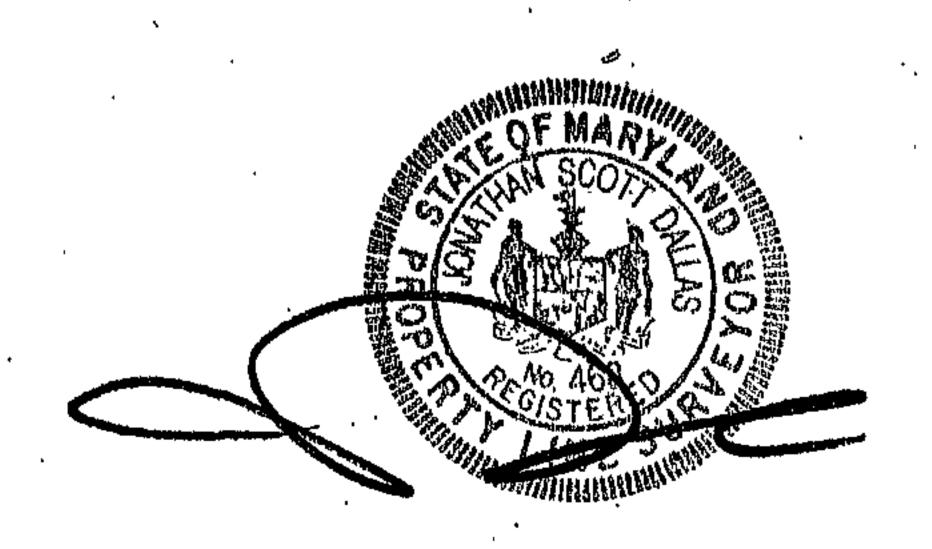
BEGINNING a point on the west side Blake Court, which is 50 feet wide, distant 587 feet, more or less in a southwesterly direction from the centerline of Tarragon Road, which is 60 feet wide

BEING Lot # 15 Block "A" Section Two in the Subdivision of "Berryman's Hollow" as recorded in Baltimore County Plat Book # 56 Folio # 2.

CONTAINING 9865 square feet of land or 0.227 acres of land, more or less.

ALSO known as # **22 Blake Court** and located in the 4th Election District, 4th Councilmanic District.

Note: above description is based on existing deeds, plats, and land records and is for zoning purposes only.



| BALTIMORE COUNTY, MAR OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT | YLAND No. | |
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| DISTRIBUTION WHITE CASHIER PINK AGENCY | YELLOW - CUSTOMER | CASHIER S-VALIDATION: |

CENTIFICATE OF POSTING

| ATTE | ENTION: BECKY HART | Date: //OVEMBER 13,2003 |
|----------|--|---|
| RE: Ca | ase Number 04-223-A etitioner/Developer: PAVID+ GAIL AAI ate of Hearing/Closing: DECEMBE | R 1, 2003 |
| were pos | his is to certify under the penalties of perjusted conspicuously on the property located | that the necessary sign(s) required by law dat 22 BLAKE COURT |
| | he sign(s) were posted on | November 11, 2003 (Month, Day, Year) |
| | | (Signature of Sign Poster) |
| 22 BLAKE | | LINDA O'KEEFE (Printed Name of Sign Poster) 523 PENNY LANE (Street Address of Sign Poster) |
| COURT | | HUNT VALLEY MD 21030 (City, State, Zlp Code of Sign Poster) 410-666-5366 (Telephone Number of Sign Poster) |

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

| Case 1 | Number (| 04- | 773 | -A | Addre | ss <u>J</u> | Blake | Court | · · · · · · · · · · · · · · · · · · · |
|------------|-----------------------|------------------------|--------------------------|---------------------------------|---|-----------------------------------|--|-------------------------------|---|
| Contac | ct Persor |): | | | | ···· | Pr | none Number | r: 410-887-3391 |
| Filing | Date: _ | 11 | 4/03 Plant | | Print Your Name Posting Dat | e: <u>11/16</u> | , | | ate: 12/1/03 |
| Any co | ontact m h the cor | iade itact | with this person (pl | office re anner) u | garding the st sing the case r | atus of number. | the admin | | ance should be |
| 1. | repostin is again | g mu resp | ist be done | only by | one of the sig | n posters The zoi | sible for all single price | printing/pos proved list a | roved list (on the sting costs. Any and the petitioner be visible on the rough the closing |
| 2. | a luma | (180 | juest for a | . public | s the deadline hearing. Plea process is not | se unde | erstand the | it avan if th | 1,000 feet to file ere is no formal |
| | order the (typically | at the | ne matter nin 7 to 10 | y. (a) g be set i days of | n for a public | sted reli hearing te) as to | et; (b) der J. You wi whether ti | ly the reque ill receive w | or deputy zoning sted relief; or (c) ritten notification as been granted, ass mail. |
| 4. | commis | sioned giv certi | er), notification | ation will of the he | be forwarded | to you le and to | order of the signal As | gn on the p | a public hearing or deputy zoning property must be ign was originally to be forwarded to |
| | • | | | | (Detach Along D | otted Line) | | | |
| Petiti | oner: Tł | nis P | art of the | Form is | for the Sign F | oster O | nly | | |
| | | | USE TH | IE ADMI | NISTRATIVE \ | /ARIAN(| CE SIGN F | ORMAT | |
| Case | Number | 0# | 223 | -A | Address | 22 B | late (| ourt | |
| Petitio | oner's Na | ıme . | David & | Gail | Aaroh | · | Tele | ephone 4/8 | 5-799-6325 |
| | | | 11/16/0 | | | Closin | g Date: | 12/1/03 | |
| Deu Con | elopmen | t iv | Plan for | the na | ninimum required | vived ? | 25 fret, | and to and lock A, Lon | mend the Final LIS to permit de yards as show |
| - - | | | エロタンロニ へつに | ואודע הבה. | ^ ひてくんしんして ろで ひでよ | LAITO AAID | ~~~~ | | CR - Revised 6/28/00 |



Baltimore County
Department of Permits and
Development Management

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

December 1, 2003

David Aaron Gail Aaron 22 Blake Court Reisterstown, MD 21136

Dear Mr. and Mrs. Aaron

RE: Case Number: 04-223-A, 22 Blake Court

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

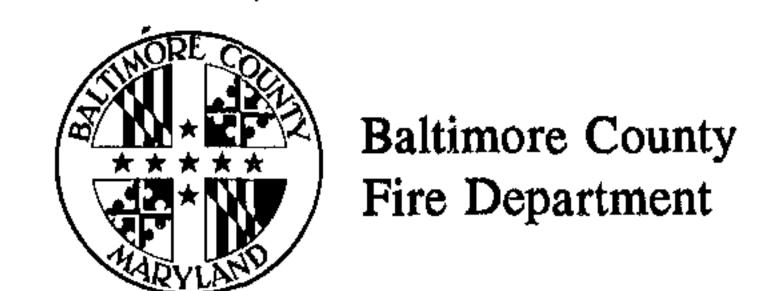
W. Carl Richards, Jr. Supervisor, Zoning Review

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel J. Scott Dallas, 13523 Long Green Pike, Baldwin 21013



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 19, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 17, 2003

Item No.:

220, 221, 223-228, 230, 231

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: 11. 18.03

Baltimore County

Item No. 223

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,

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: December 1, 2003

RECEIVED

DEC 2 21

SUBJECT:

Zoning Advisory Petition(s): Case 04-223 - Administration

se 04-223 – Administrative Vorlande L

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By

Section Chief:

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 26, 2003

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

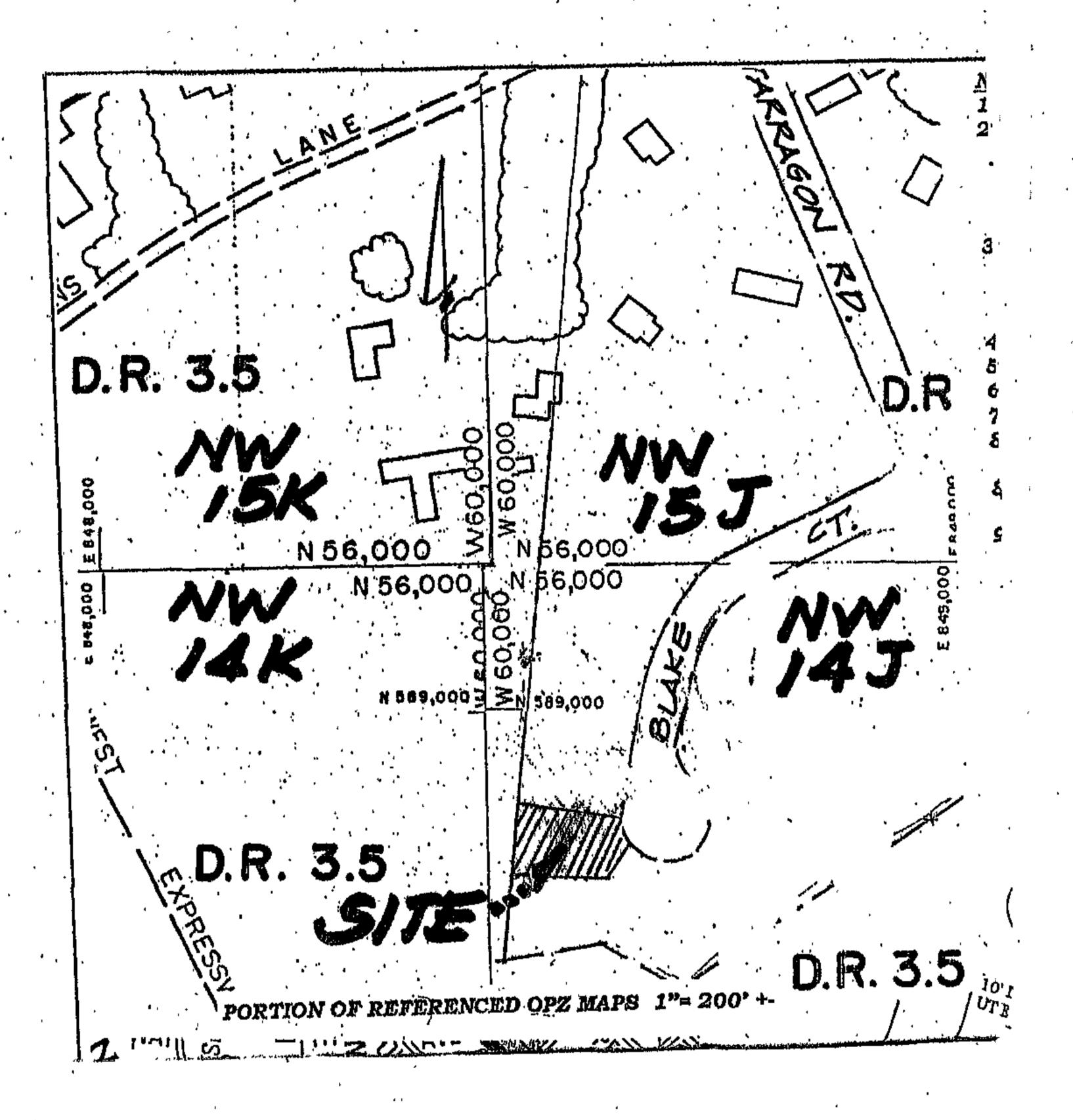
SUBJECT:

Zoning Advisory Committee Meeting For Item Nos. 222, 223, 225, 226, 227, 228, 229, 230, and 231

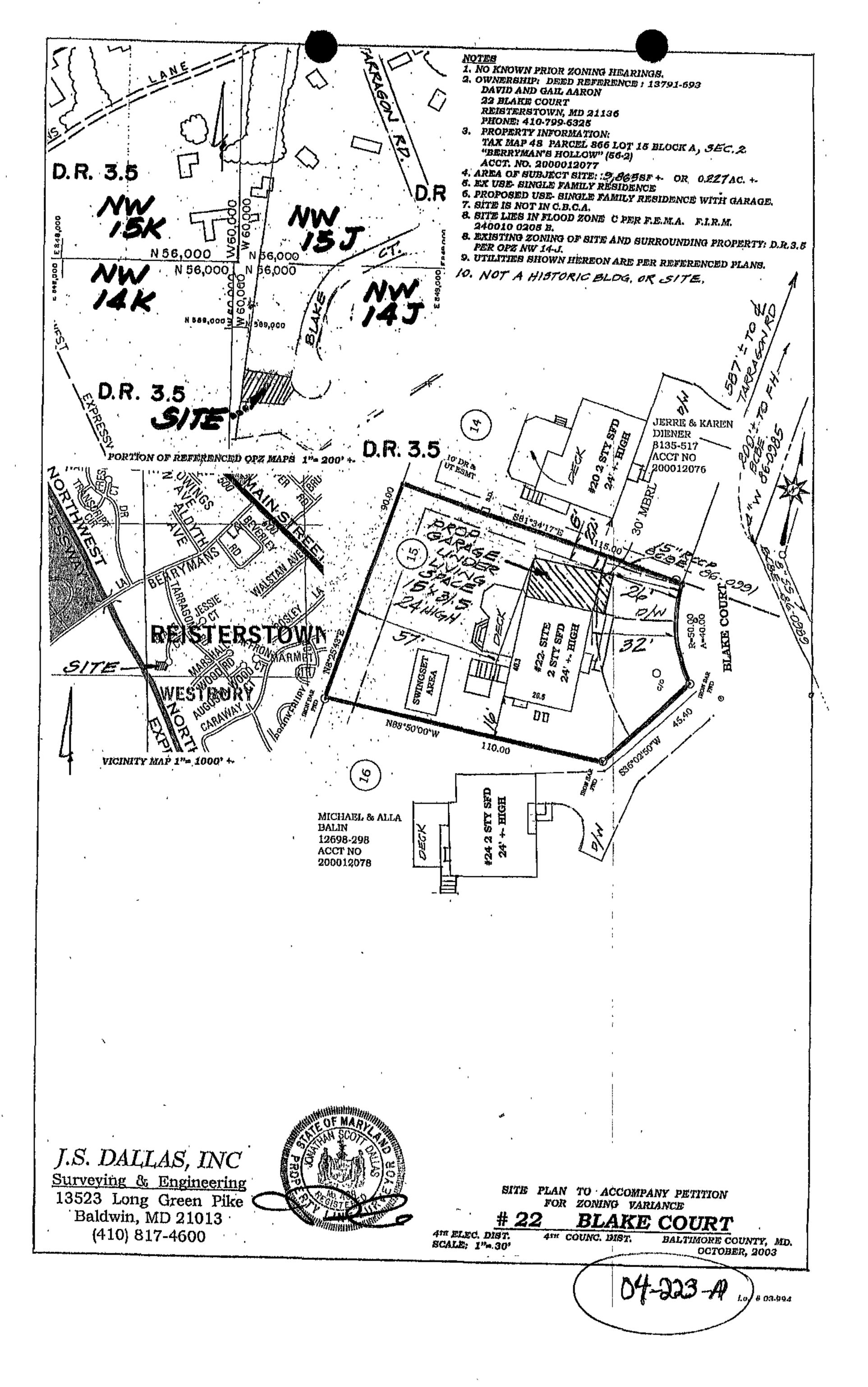
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

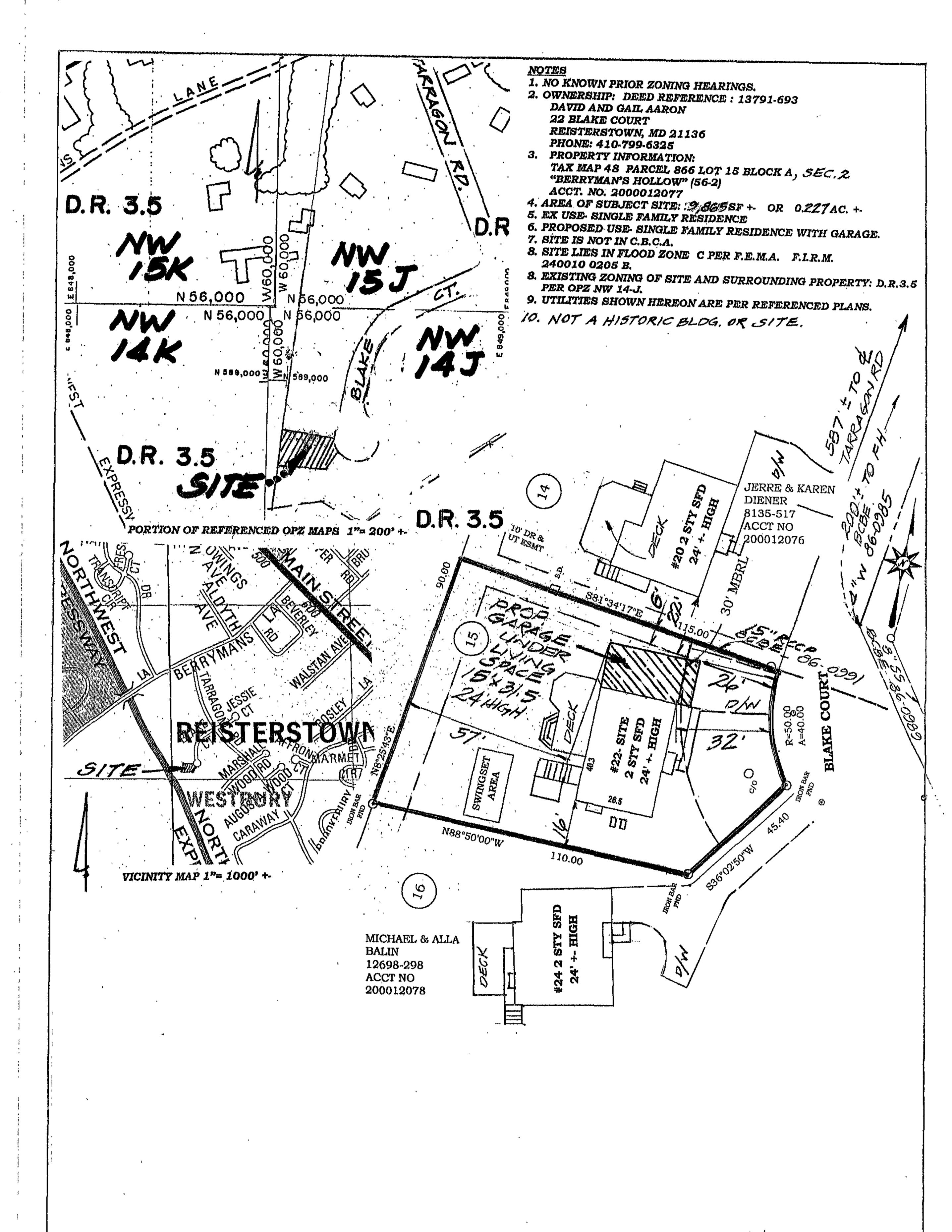


22 BLAKE CT " · 200 · ZONING MAP



04-223.4

04-223-A



J.S. DALLAS, INC Surveying & Engineering 13523 Long Green Pike

Baldwin, MD 21013 (410) 817-4600



De Ch.

SITE PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE

22 BLAKE COURT

4TH ELEC. DIST. SCALE: 1"= 30' 4TH COUNC. DIST.

BALTIMORE COUNTY, MD. OCTOBER, 2003

