

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
SE/S of Twilight Court		
opposite Daybreak Terrace	*	DEPUTY ZONING COMMISSIONER
14th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(5901 Twilight Court)		
	*	CASE NO. 04-326-A
Margaret & William Norman	*	
<i>Petitioners</i>		

* * * * *

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 owner of the subject property, Margaret and William Norman. The variance request is for property located at 5901 Twilight Court in the "Daybreak Estates" subdivision of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), Section V.B.6.b&C (CMDP), to permit an addition (sunroom) with a 25 ft. window to window setback and a 5 ft. window to property line setback in lieu of the required 40 ft. and 15 ft. respectively and to amend the latest Final Development Plan for "Daybreak Estates", Lot 31, Section 1. 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 Commissioner, the information, photographs, and affidavits submitted provide sufficient facts

ORDER RECEIVED FOR FILING

Date 2/13/04

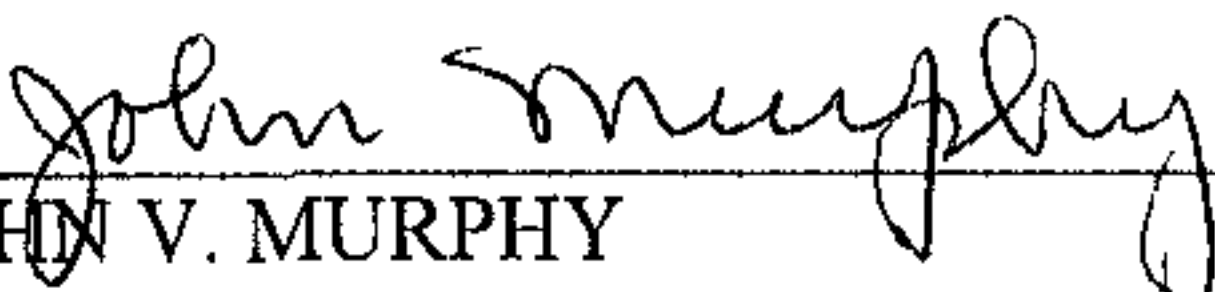
By [Signature]

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.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 13 day of February, 2004, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), Section V.B.6.b&C (CMDP), to permit an addition (sunroom) with a 25 ft. window to window setback and a 5 ft. window to property line setback in lieu of the required 40 ft. and 15 ft. respectively and to amend the latest Final Development Plan for "Daybreak Estates", **Lot 31 only**, Section 1, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING

Date 2/13/04
By R. Jamison

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

February 13, 2004

Mr. & Mrs. William Norman
5901 Twilight Court
Baltimore, Maryland 21206

Re: Petition for Administrative Variance
Case No. 04-326-A
Property: 5901 Twilight Court

Dear Mr. & Mrs. Norman:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "John V. Murphy". The signature is written in a cursive style.

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Patio Enclosures, Inc.
Attention: Greg
224 8th Avenue NW
Glen Burnie, MD 21061

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5901 Twilight Ct. Balt, MD 21206
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3B. (BCZR), E.F.B.C. (CMDP)

TO PERMIT AN ADDITION (SUNROOM) WITH A 25-FOOT WINDOW TO WINDOW SETBACK AND A 5-FOOT WINDOW TO PROPERTY LINE SETBACK IN LIEU OF THE REQUIRED 40-FEET AND 15-FEET RESPECTIVELY AND TO AMEND THE LATEST FDP FOR "DAYBREAK ESTATES", LOT 31, SECTION 1.

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

City

Signature

Company

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 July 2004 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.

Legal Owner(s):

William Norman

Name - Type or Print

Signature

Margaret Norman

Name - Type or Print

Signature

5901 Twilight Ct.

Address

Telephone No.

Baltimore, MD 21206

410-866-1368

State

Zip Code

Representative to be Contacted:

Patio Enclosures Inc.. (attn: Greg)

Name

224 8th Ave NW

443-797-0351

Address

Telephone No.

Glen Burnie, MD 21061

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 04-326-A

Reviewed By D. THOMPSON

Date 1/14/04

Estimated Posting Date

1/25/04

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at - **5901 Twilight Ct.**

Address

Baltimore MD 21206

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):

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce road noise.
4. A place to sit out and not be concerned with the weather, bugs: mosquitos, flies etc...
5. Improve the apperance of the house
6. The restrictive area of the lot does not lend itself to any addition of pratical size without requiring a variance.

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.

Margaret Norman
Signature

Margaret Norman

Name - Type or Print

William Norman
Signature

William Norman

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23RD day of DECEMBER, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARGARET NORMAN & WILLIAM NORMAN

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

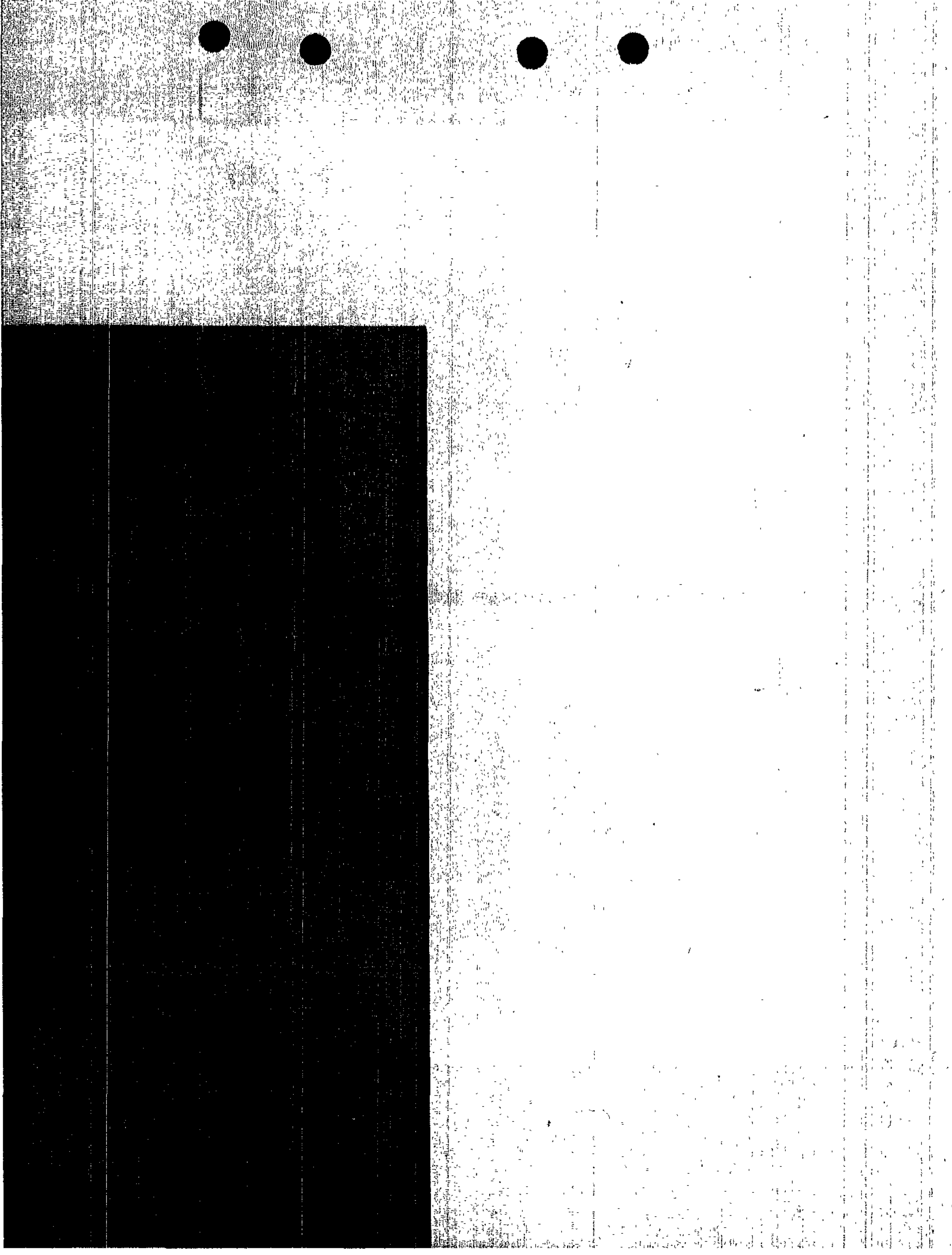
12/23/03
Date

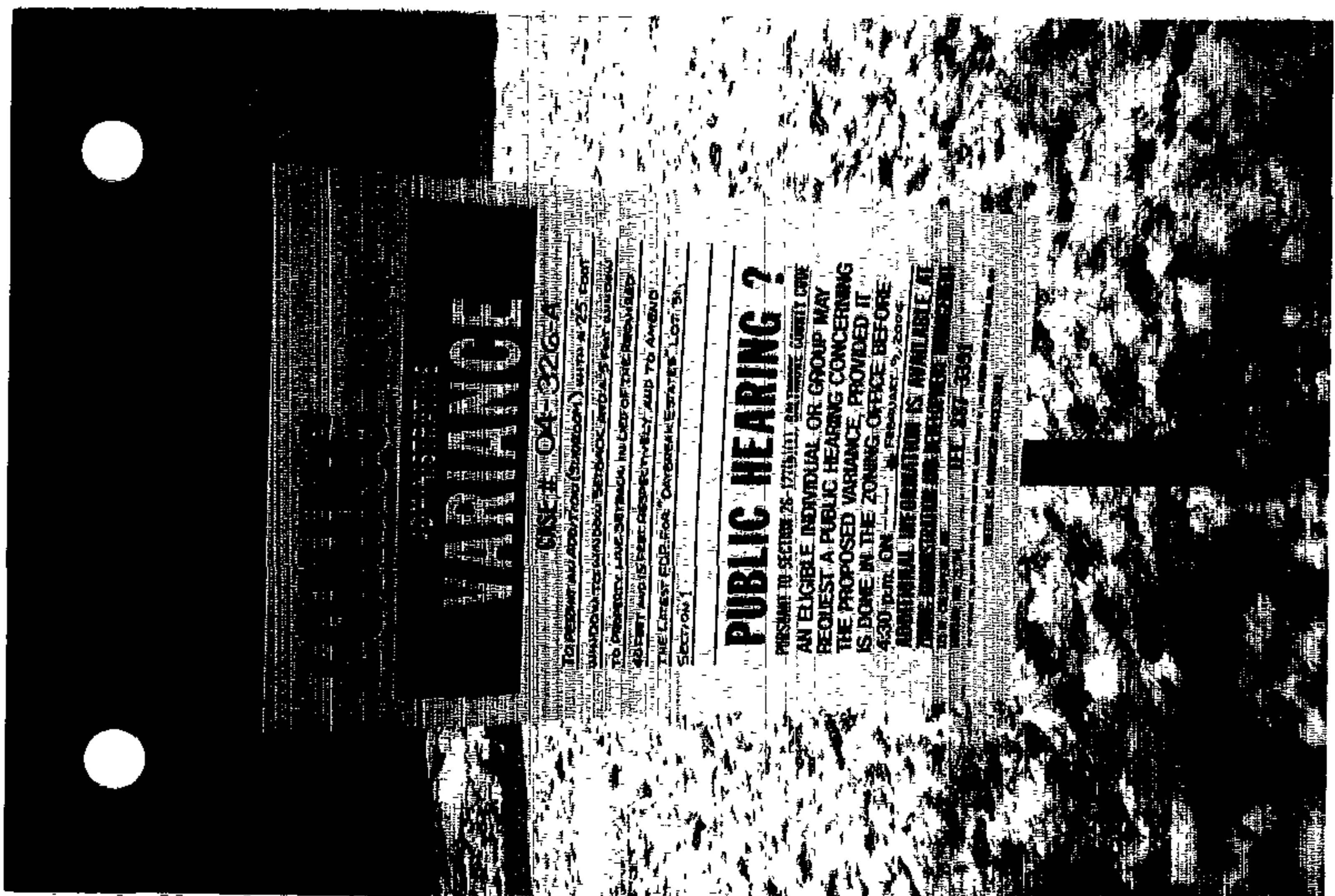
Lawrence M. [Signature]
Notary Public

My Commission Expires 11/1/2005

ZONING DESCRIPTION FOR 5901 Twilight Ct..

*BEGINNING AT A POINT ON THE **South** SIDE OF **Twilight Ct.**
WHICH IS 50' WIDE AT THE DISTANCE OF 0' East OF THE
NEAREST IMPROVED INTERSECTING STREET **Daybreak Terr.** WHICH
IS 50' WIDE. BEING LOT # 31 BLOCK __, SECTION 01 IN THE
SUBDIVISION OF **Daybreak Estates** AS RECORDED IN COUNTY PLAT
BOOK # 52, FOLIO # 148, CONTAINING 8,032 SQ'. ALSO KNOWN AS
5901 Twilight Ct. LOCATED IN THE 14th ELECTION DISTRICT,
__6__ COUNCILMANIC DISTRICT.*





CERTIFICATE OF POSTING

RE: Case No.: 04-326-A

Petitioner/Developer: NORMAN

Date of Hearing/ Closing: FEB. 9, 2004

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

Attention: Becky 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 # 5901 TWILIGHT CT.

The sign(s) were posted on JAN. 28, 2004
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number **04** 326 -A

Address 5901 TWILIGHT CT.

Contact Person: DONNA THOMPSON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 1/14/04

Posting Date: 1/25/04

Closing Date: 2/9/04

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** 326 -A

Address 5901 TWILIGHT CT.

Petitioner's Name NORMAN

Telephone 443-797-0351

Posting Date: 1/25/04

Closing Date: 2/9/04

Wording for Sign: To Permit AN ADDITION (SUNROOM) WITH A 25-FOOT WINDOW TO WINDOW SETBACK AND A 5-FOOT WINDOW TO PROPERTY LINE SETBACK IN LIEU OF THE REQUIRED 40-FOOT AND 15-FOOT RESPECTIVELY AND TO AMEND THE LATEST FDP FOR "DANBREAK ESTATES", LOT 31, SECTION 1.

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: 04-326-A

Petitioner: William & Margaret Norman ☐

Address or Location: 5901 Twilight Ct Baltimore, MD 21206

PLEASE FORWARD ADVERTISING BILL TO:

Name: Patio Enclosures Inc...

Address: 224 8th Ave NW

Glen Burnie, MD 21061

Telephone Number: 443-797-0351

**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

February 10, 2004

Mr. William Norman
Mrs. Margaret Norman
5901 Twilight Court
Baltimore, Maryland 21206

Dear Mr. And Mrs. Norman,

RE: Case Number: 04-326-A, 5901 Twilight Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 14, 2004.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel.
Patio Enclosures, Inc. 224 8th Avenue Glen Burnie 21061

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

RECEIVED
DATE: February 5, 2004

FEB - 5 2004

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case 4-326 – 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:

Larry Schlabach

AFK/LL



**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

January 30, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: January 26, 2004

Item No.: 321-328

File

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.

6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *flm*

DATE: January 27, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 26, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-321

04-326

04-327

04-328

Reviewers: Sue Farinetti, Dave Lykens



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1.29.04

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

RE: Baltimore County
Item No. 326 DT

Dear Ms. Hart:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 Phone 410 545.0300 www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 10, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For February 2, 2004
Item No. 326

The Bureau of Development Plans Review has reviewed the subject-zoning item.

Site plan/vicinity map shows lot may be next to stream.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above flood plain elevation in all construction.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 5, 2004

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

SUBJECT: Zoning Advisory Petition(s): **Case 4-326 – 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:

Larry Schlabach

AFK/LL

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 5901 TWILIGHT CT. BALT, MD 21206 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

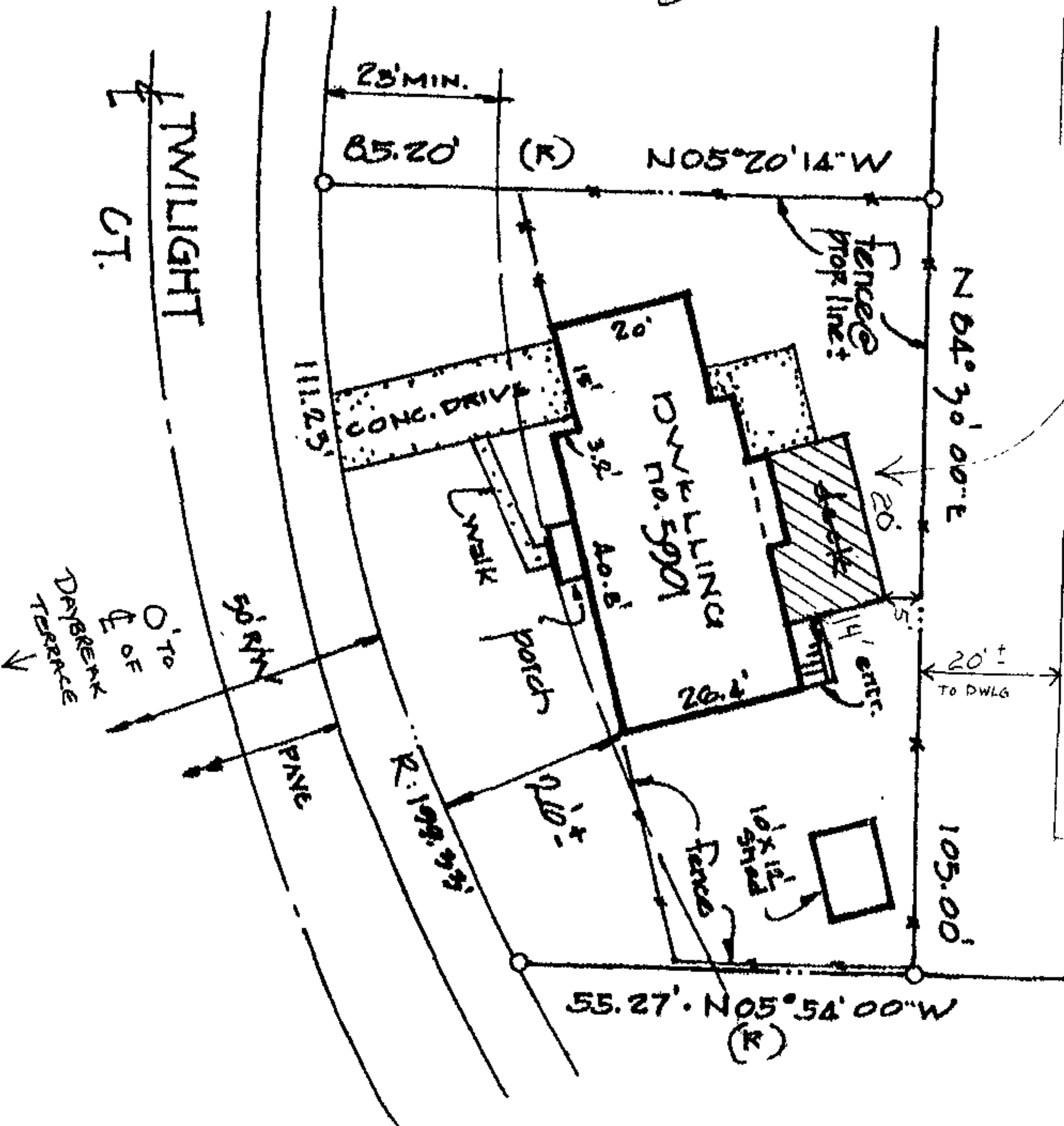
SUBDIVISION NAME DAWBREAK ESTATES

PLAT BOOK # 52 FOLIO # 148 LOT # 31 SECTION # 01

OWNER William & Margaret Norman

Proposed 2804
FORC. ENCLOSURE

McHENRY
4 MORNINGSTAR CT.
BALT, MD 21206
Deed Ref 7/31/62



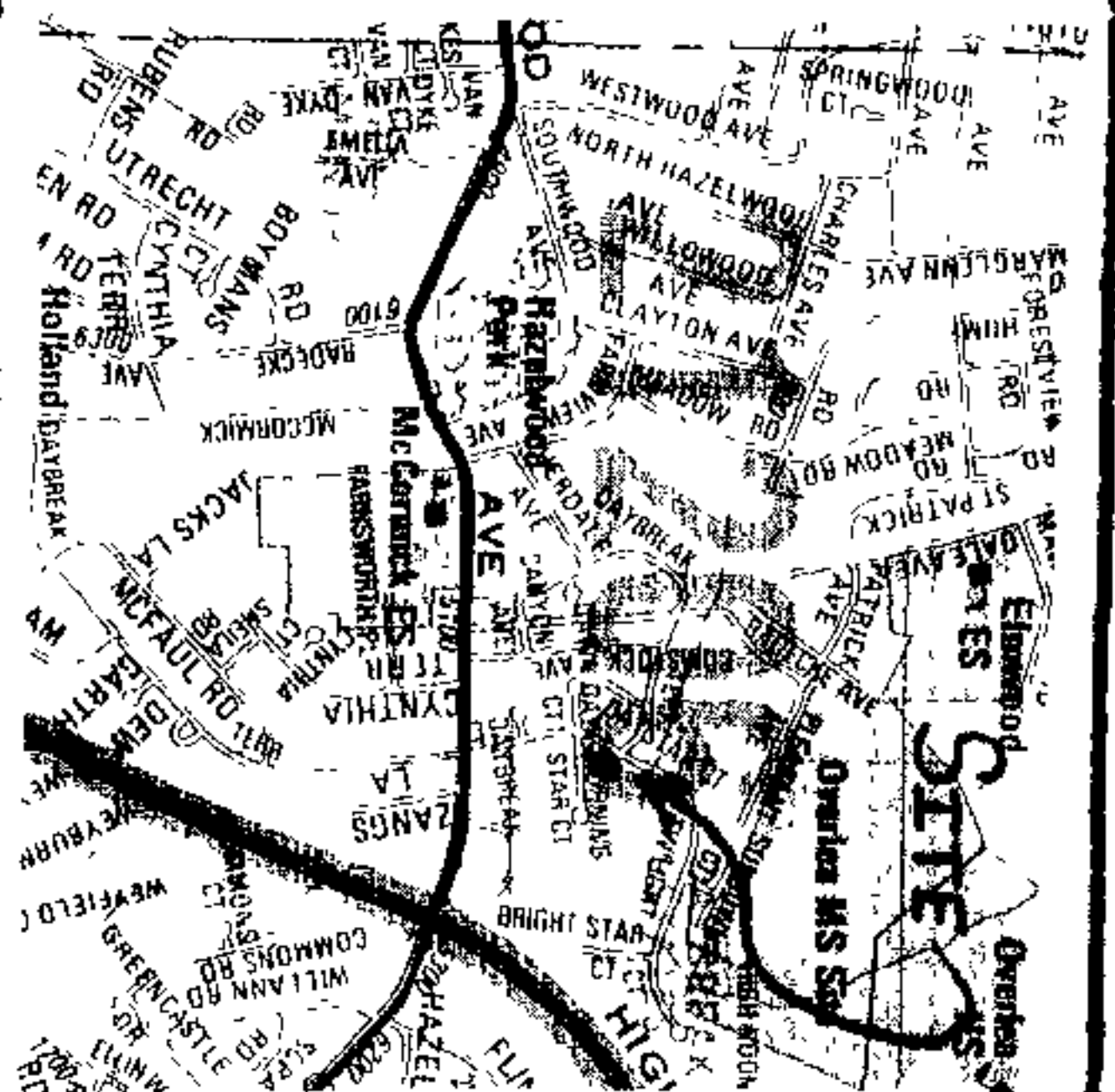
PREPARED BY

Gregory A. Falter

SCALE OF DRAWING: 1" = 30'



VICINITY MAP
SCALE: 1" = 2,273'



LOCATION INFORMATION

ELECTION DISTRICT 14TH

COUNCILMANIC DISTRICT 6TH

1" = 200' SCALE MAP # ME 5-E

ZONING DR 5.5

LOT SIZE 0.18

ACREAGE 8.032
SQUARE FEET

PUBLIC PRIVATE

SEWER

WATER

CHESAPEAKE BAY

CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/
BUILDING

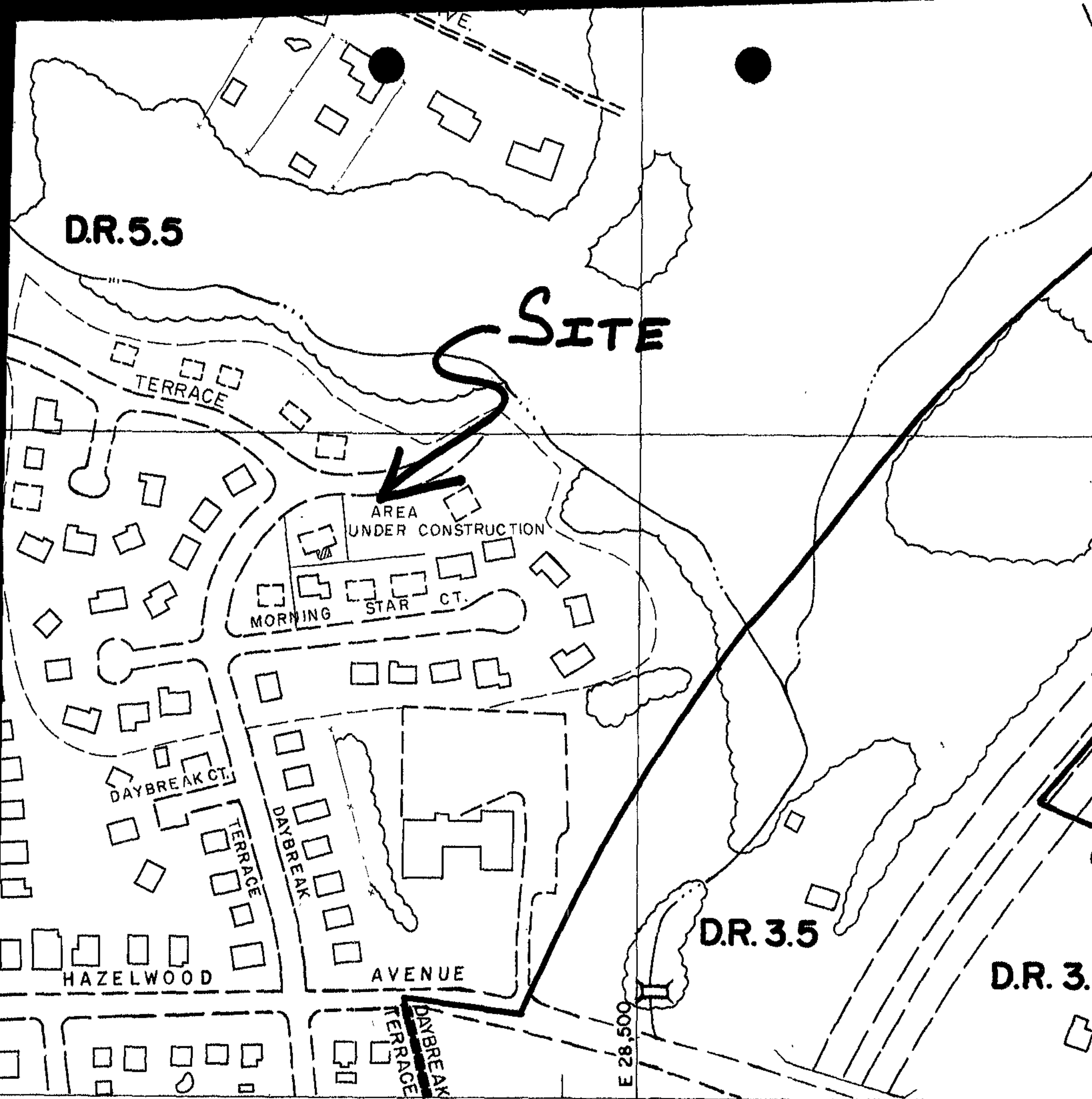
PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D.T.

326

04-326-A



Y ZONING MAP

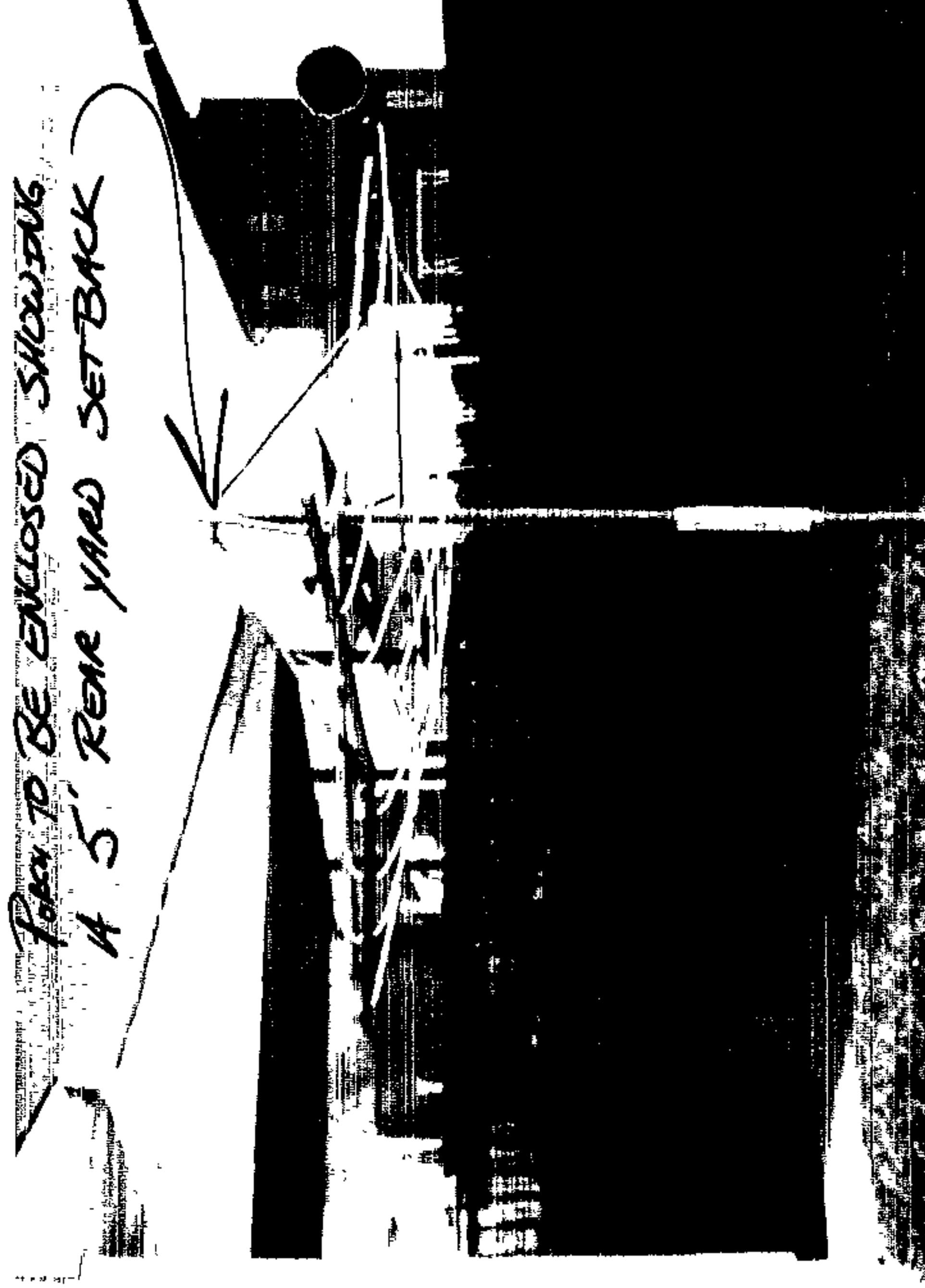
SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1986

04-326-A



PACH @ 5901
 TWILIGHT CT TO
 BE ENCLOSED

Variance Photos for:
 William & Margaret Norman.
 5901 Twilight Ct.
 Baltimore, Md. 21206.



PACH TO BE ENCLOSED SHOWING
 A 5' REAR YARD SETBACK