ORDER RECEIVED FOR FILINGS

Order

Or

IN RE: PETITION FOR VARIANCE
N/S of Country Lane, 0 ft. E
centerline of Spring Side Drive
8th Election District
3rd Councilmanic District
(100 Country Lane)

Aimee B. & William H. Rauck, Jr. Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 04-378-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Aimee B. and William H. Rauck, Jr. The variance request is for property located at 100 Country Lane in the Timonium area of Baltimore County. The Petitioners are requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (shed) to be located in the side yard in the third portion of the lot closest to the road in lieu of the required rear yard in the third portion of the lot farthest removed from the road.

The property was posted with Notice of Hearing on March 24, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on March 23, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area,

off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 03-9294) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter because shed was not far enough to rear of the property.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioners cannot use the fact that a structure has been modified as a precedent to allow it to continue. Nor does the fact that modifications may be costly to remove come into consideration in the zoning case. The reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioners as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this hearing of this Office.

Interested Persons

Appearing at the hearing on behalf of the variance request were Aimee and William Rauck, Petitioners and Lynn & Dennis Yeager their neighbors. The Petitioners were represented

by Roger Weinberg, Esquire. No Protestants or interested citizens attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 11,656 sq. ft. and is zoned DR 5.5. The property is located on Country Lane and Springside Drive in the "Haverford" Subdivision in Timonium. The Petitioners proffered that they erected the subject 8 ft. x 10 ft. shed on the side of their home facing Springside Lane several years ago to provide outside storage for lawn equipment and the like. As the property is on the corner of two public streets, such a shed should have been located in the rear yard furthest from both streets. Here, however, the Petitioners have located their pool, fence surround for the pool and mature trees and bushes.

The Petitioners presented photographs that showed the shed was virtually invisible from Country Lane as it is located behind a large mature cedar tree. See Petitioners' Exhibit No. 1. The shed can be seen from Springside Lane but the Petitioners proffered this was not offensive to their neighbors across Springside Lane as it matches the house architecturally and in color. No one had complained about the shed until an anonymous complaint was received by the County triggering an investigation and order to move the shed.

No protestants attended the hearing however. In support of the existing location, the Petitioners presented letters from neighbors in support of the variance to allow the shed to remain in the side yard. In fact, two neighbors felt so strongly about this matter they personally attended the hearing. Mr. and Mrs Yeager who live at 153 Springside Lane testified that they were opposed to moving the shed in the rear yard as this would locate the shed less than 20 feet from their house, would likely kill a mature bush on the property line and some jointly planted hedges.

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

April 13, 2004

Roger S. Weinberg, Esquire Law Offices of Roger S. Weinberg, LLC 305 W. Pennsylvania Avenue Towson, Maryland 21204

> Re: Petition for Variance Case No. 04-378-A Property: 100 Country Lane

Dear Mr. Weinberg:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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

JVM:raj Enclosure

c: Mr. & Mrs. William H. Rauck, Jr. 100 Country Lane Timonium, MD 21093

Mr. & Mrs. Dennis Yeager 153 Springside Drive Timonium, MD 21093



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



来2019/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 100 Country Lane
which is presently zoned DR 5.5

| | which is presently zoned DR 5.5 |
|---|--|
| This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which is made a part hereof, hereby petition for a Variance from Section (shed) be located in the side yard in the the required reav for thest removed from the required reav for thest removed from the road. of the Zoning Regulations of Baltimore County, to the zoning law hardship or practical difficulty) Shed measuring 10' x 8' house and landscaped by cedar trees to conceal it the house and surrounded by lattice. The shed c to pool and fence or requiring large expenditure shed is not visible from Country Lane. | s described in the description and plat attached hereto and so you! to permit an accessory structue third portion of the let closest to yard in the third portion of the law of Baltimore County, for the following reasons: (indicate is located on the west side of Petitioners' to presence. Shed is painted the color of annot be placed in rear 1/3 of property due |
| Property is to be posted and advertised as prescribed by the zon I, or we, agree to pay expenses of above Variance, advertising, posting regulations and restrictions of Baltimore County adopted pursuant to the | g, etc. and further agree to and are to be bounded by the zoning ne zoning law for Baltimore County. |
| Contract Purchaser/Lessee: | 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. Legal Owner(s): |
| Name - Type or Print Signature | Name - Type or Print Signature Signature Rauck Rauck Signature |
| Address Telephone No. City State Zip Code | Name - Type or Print Lilliam Henry Kauck Jr. Signature Signature |
| Attorney For Petitioner: Roger S. Weinberg Name: Type or Print | Address Timonium City Address Tober Country Lane 4-10561133 Telephone No. 21093 Zip Code |
| Signature Company Weenseld Weinberg LLC Company Win 5.5 | Representative to be Contacted: ROGER 5. WEINBERG |
| Company 308 W. Pennsylvania Ave Address Telephone No. 10w5on, MD 21204 City State Zip Code | 308 W. Rennsylvania Ave Address WONSON MD 410-825-316 City 21204 State Zip Code |
| Case No. 04-378-A | OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING 4/11-4/23/04 |
| | UNAVAILABLE FOR HEARING 4/11-4/23/04 Reviewed By 3K Date 2/18/04 |

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 100 COUNTRY LANE, TIMONIUM Beginning at a point on the North side of Country Lane which is 50 feet wide at the distance of 0 feet East of the centerline of the nearest improved intersecting street, Spring Side Drive, which is 50 feet. Being Lot #15, Block M, Section #06 in the subdivision of Haverford as recorded in Baltimore County Plat Book #23, Folio #148, containing 11, 656 square feet. Also known as 100 Country Lane and located in the 8th Election District, 3rd Councilmatic District.

| BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT | No. 29940 PAID RELEIN |
|---|---|
| DATEACCOUNT. | 2/19/2004 2/18/2004 15:27:32 2 RE USD2 WALL JEWN JEE >> ECEIPT # 3/2479 2/18/2004 OF LIN Dept 5 528 ZUMI/65 VERIFICATION |
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| FOR: | |
| DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - C | CASHIER'S VALIDATION |

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NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 04-378-A

Case: # U4-378-A
100 Country Lane
N/east corner of Country Lane and Springside Drive
8th Election District — 3rd Councilmanic District
Legal Owner(s): Aimee and William Rauck
Variance: to permit an accessory structure (shed) to be
located in the side yard in lieu of the required rear yard in
the third portion of the lot farthest removed from the road.
Hearing: Thursday, April 8, 2004 at 11:00 a.m. in Room
407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing.
Contact the Zoning Review Office at (410) 887-3391.

JT 3/772 Mar. 23

C655981

CERTIFICATE OF PUBLICATION

| 323,2004 |
|---|
| THIS IS TO CERTIFY, that the annexed advertisement was published |
| in the following weekly newspaper published in Baltimore County, Md., |
| once in each ofsuccessive weeks, the first publication appearing |
| on 3 23 ,20 <u>04.</u> |
| The Jeffersonian |
| Arbutus Times |
| ☐ Catonsville Times |
| ☐ Towson Times |
| Owings Mills Times |
| □ NE Booster/Reporter |
| ☐ North County News |
| S. Wilking |

LEGAL ADVERTISING

CERTIFICATE OF POSTING

| Date; | 3/25/04 |
|--|---|
| RE: Case Number: 04-378-A Petitioned Developer: AIMEE & WILLIAM Date of Hearing/Closing: APRIL 8, 20 | |
| This is to certify under the penalties of perjury that the nec on the property located at <u>100</u> <u>Counte</u> | |
| The state passes of the state o | Zoo4. (Month, Day, Year) Charles E. Merritt 9831 Magledt Road Baltimore, MD 21234 410-665-5562 |

Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

March 2, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-378-A

100 Country Lane
N/east corner of Country Lane and Springside Drive
8th Election District – 3rd Councilmanic District
Legal Owners: Aimee and William Rauck

Variance to permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard in the third portion of the lot farthest removed from the road.

Hearing: Thursday, April 8, 2004, at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Roger Weinberg, 308 W. Pennsylvania Avenue, Towson 21204 Aimee & William Rauck, 100 Country Lane, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 24, 2004.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 23, 2004 Issue - Jeffersonian

Please forward billing to:

Aimee Rauck 100 Country Lane Timonium, MD 21093

410-561-1333

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-378-A

100 Country Lane
N/east corner of Country Lane and Springside Drive
8th Election District – 3rd Councilmanic District
Legal Owners: Aimee and William Rauck

Variance to permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard in the third portion of the lot farthest removed from the road.

Hearing: Thursday, April 8, 2004, at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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.

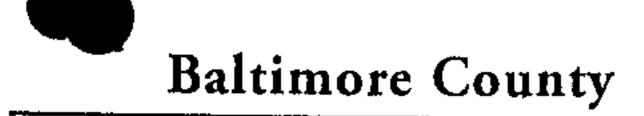
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

| Item Numi | per or Case Number: 04-378-A |
|-------------|--|
| Petitioner: | AIMEE BURKE RAUCK + WILLIAM H. RAUCK, JR. |
| Address o | r Location: 100 COUNTRY LANE TIMONIUM MD 21093 |
| | |
| | ORWARD ADVERTISING BILL TO: AIMEE B. RAUCK |
| Name: | |

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

March 31, 2004

Roger S. Weinberg Law Offices of Roger S. Weinberg, LLC. 308 W. Pennsylvania Avenue Towson, Maryland 21204

Dear Mr. Weinberg:

RE: Case Number:04-378-A, 100 Country Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 18, 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,
U. Call Richall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Aimee and William Rauck 100 Country Lane Timonium 21093



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



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2.27.04

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

RE:

Baltimore County

Item No. 378

BPR

Dear. Ms. Matthews:

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,

1. J. Soull

A-

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley 19

DATE:

March 25, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 1, 2004

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

04-376

04-377

04-378

04-379

04-380

04-382

04-384

04-386

04-388

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 17, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 4-378

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

DATE: March 25, 2004

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 March 8, 2004 Item Nos. 349, 376, 377, 378, 379, 380,

381, 382, 384, 385, 388, and 389

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE
100 Country Lane; NE corner of
Country Lane and Springside Drive
8th Election & 3rd Councilmanic Districts

Legal Owner(s): Aimee & Henry Rauck, Jr *

Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

* FOR

*

BALTIMORE COUNTY

* 04-378-A

* * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Canole S. Demilio

Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to, Roger S. Weinberg, Esquire, 308 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAR 0 8 2004

Per. X

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



DATE:

March 2, 2004

TO:

W. Carl Richards, Jr.

Zoning Review Supervisor

FROM:

James Thompson, Supervisor

Division of Code Inspections & Enforcement

SUBJECT:

Item No.: 04-3785-A

Legal Owner/Petitioner: Aimee & William Rauk

Property Address: 100 Country Lane

Location Description: N/east corner of Country Lane & Springside Drive

INFORMATION:

Case No.: 03-9294

Please be advised that the aforementioned petition is the subject of an active violation case.

When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

Yorkshire /Haverford Community Association Richard J. Huffman, President 35 Cinder Road Timonium, Md 21093-4233

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Letter of Complaint
Code Enforcement Report
Baltimore County Correction Notice

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Latoshia Rumsey-Scott in Room 113 in order that the appropriate action may be taken relative to the violation case.

JHT/lrs

c: Jason Seidelman, Code Enforcement

Yorkshire / Haverford Community Association

35 Cinder Road , Timonium Maryland 21093-4233
Phone 410 - 252 - 0635 , E-Mail HUFDAD@AOL.COM
Richard Jarvis Huffman, President

November 23, 2003

Mr. James H. Thompson, Supervisor Bureau of Code Enforcement Baltimore County Department of Permits and Development Management County Office Building, 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Jim,

Here is a list of possible code violations we have observed in our Yorkshire/Haverford area.

As you may remember our self performed sweep earlier this Autumn generated about 80 items which we brought to the respective residents' attention by mail.

Happily, a large number of the original observations have elicited a cooperative response and corrections have been voluntarily made.

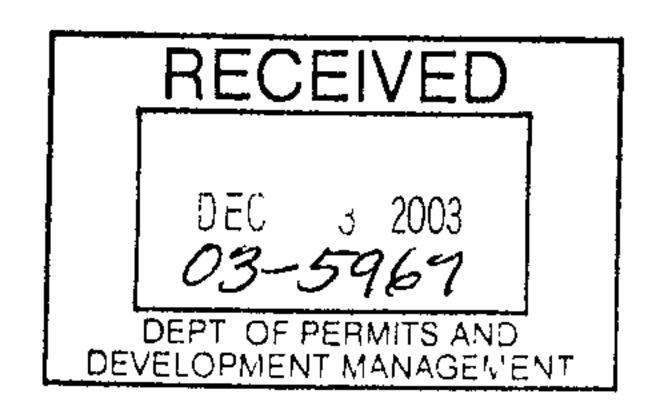
The attached list reflects those which still appear to be non-comforming.

I would appreciate being included in update information regarding this list's handling insofar as is appropriate.

Thankyou again Jim for you and your organization's help and support.

Respectfully,

Richard Jarvis Huffman



| | | CODE ELECTION | | | |
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| | | CODE ENFOR | | REPORT | NOF |
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| LOCATION: | 100 | COUNTRY | LANE | | |
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10re County Department of Permits and Development Management



· Code Inspections and Enforcement County Office ding 111 West Chesaptake Avenue Towson, MD 21204

| Code Enforcement: | 410-887-3 |
|----------------------|-----------|
| Building Inspection: | 410-887-3 |

351 410-887-3953 Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

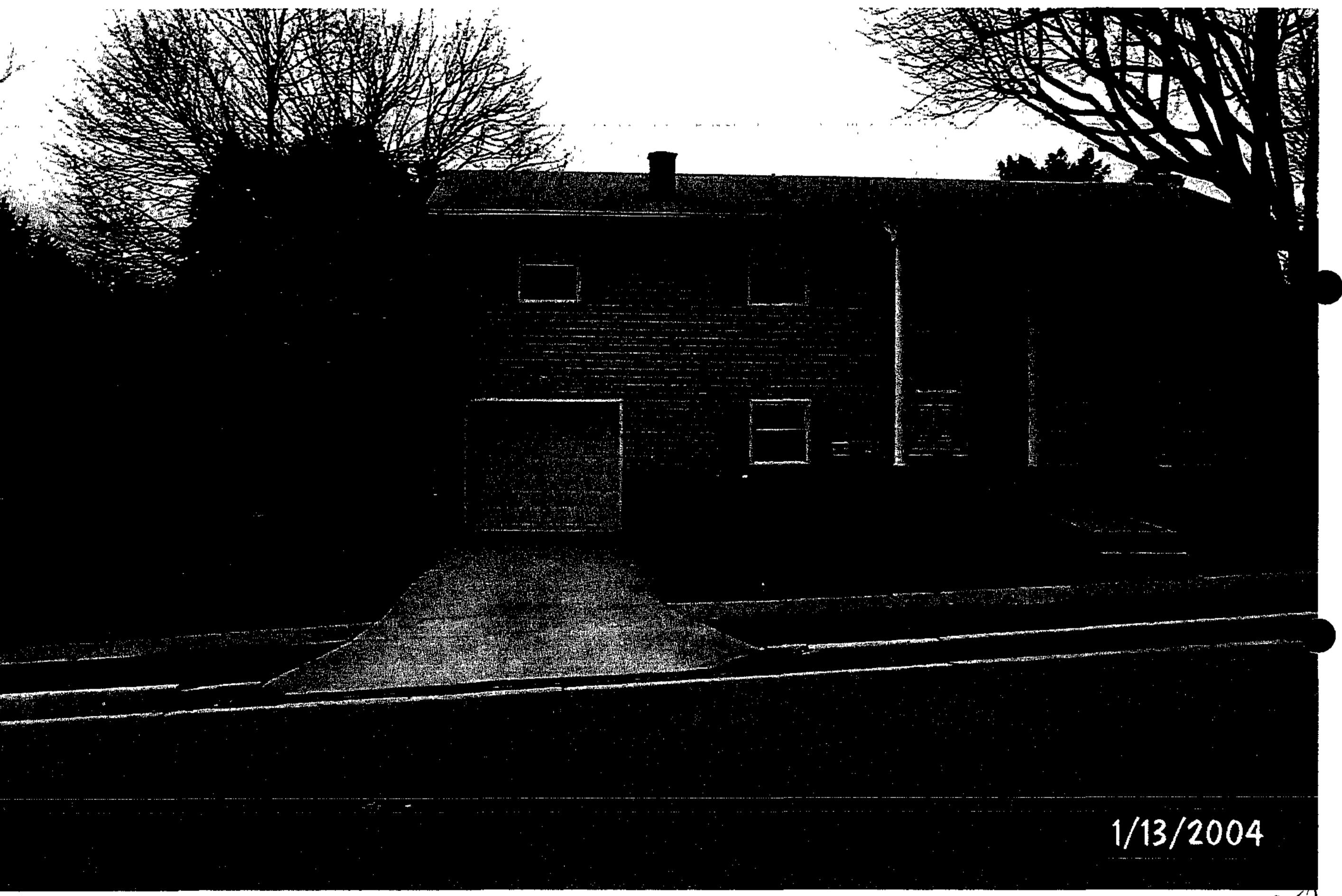
| Citation/Case | |
|-----------------------------|--|
| Name(s): | AIMEE RAUCK WILLIAM H. RAUCK JR. |
| Address: | 100 COUNTRY LN. TIMONIUM, MA 21093 |
| Violation | <u></u> |
| Location: | UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS: |
| ו פונפ | UNLAWFULLT VIOLATE THE FULLOWING BALTIMORE COUNTY LAWS: |
| BCZ | R: 101-102.1; 400 |
| 122 | EGAL ACCESSORY STRUCTURE PLACEMENT. |
| | MUST BE MOVED SO THAT IT IS AT |
| | T 10 FEET BEHIND THE REAR LINE OF |
| | SE, AND AT LEAST 21/2 FEET FROM ALL |
| PROP | ERTY LINES. |
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| | · |
| | POSTED + MAILED |
| YOU ARE HE | REBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE: |
| On or Befores | 1-15-04 Date Issued: 12-15-03 |
| FAILURE TO | COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR |
| | ATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER |
| Print Name | DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH. |
| | ASON SEIDELMAN |
| INSPECTOR: | - All |
| | STOP WORK NOTICE |
| PURSUANT | to inspection of the foregoing violations, you shall cease all work |
| | VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN |
| | TH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. ⁻ DITIONS MUST BE CORRECTED NOT LATER THAN: |
| | |
| Not Later Than: | Date issued: |
| <u> </u> | <u> </u> |
| INSPECTOR: | |
| | AGENCY |

CASE NAME RAUCK CASE NUMBER 04-378 A DATE 4-8-04

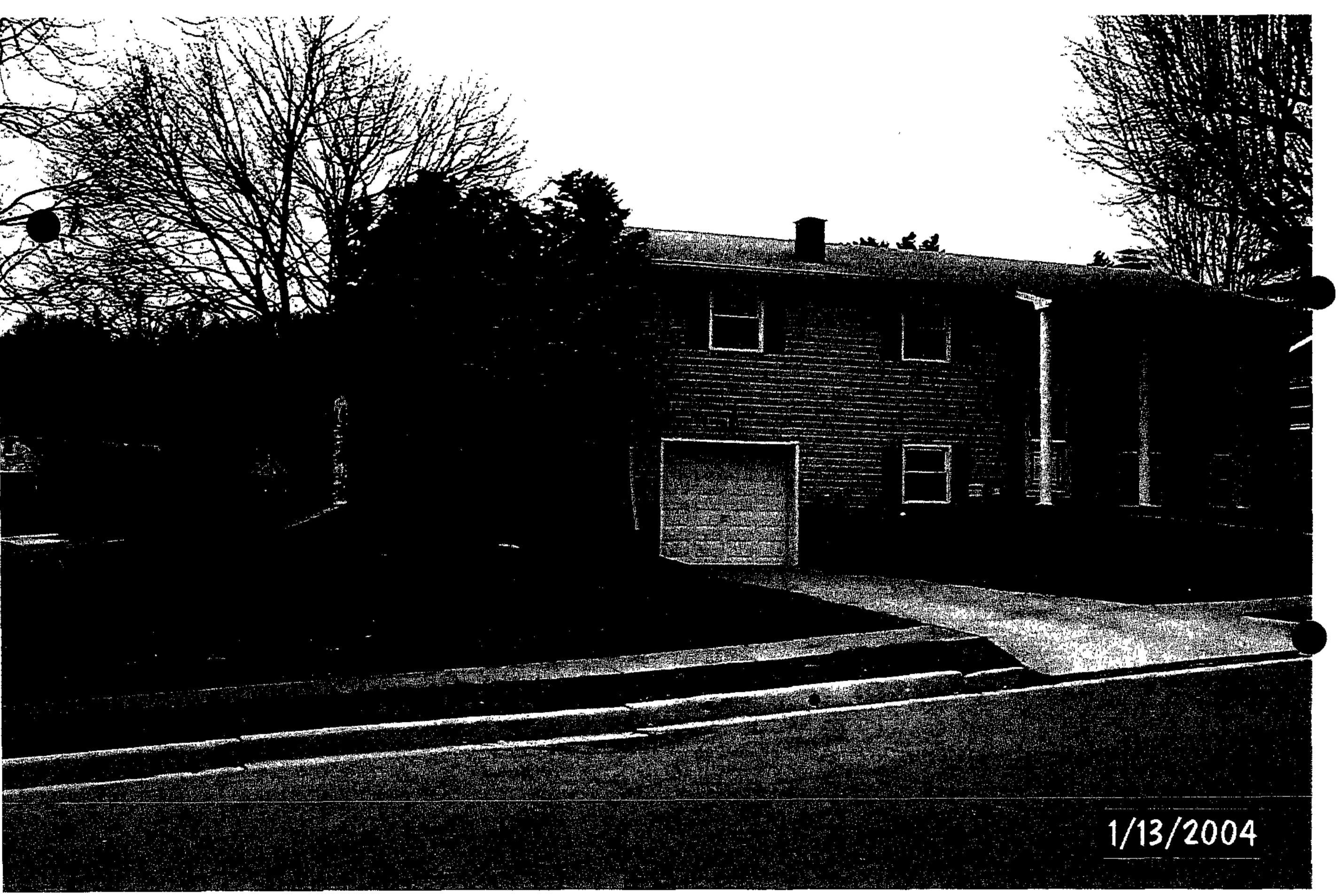
PETITIONER'S SIGN-IN SHEET

| NAME | ADDRESS | CITY, STATE, ZIP | E- MAIL |
|---------------------------------------|---------------------------------------|--|-------------------------|
| Himee Rauck Sr William H. Rauck Sr | 100 Country Lane | Timonium MD 21093 Timonium MD 21093 | aimee 329@ Comcast. net |
| Lynn M. Yeager | 153 Springside Dr. | Timonium, MD 21093 TIMONIUM, MD 21093 | - Commassine |
| DENNIS YEALER | 153 SPRINGSIONE DR | Temorion, MD 21093 | |
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DE TO







#378



Mrs. James Grem 144 Springside Drive Timonium, Maryland 21093

June 27, 2002

Re: Placement of Accessory Shed at 100 Country Lane

To whom it may concern.

I spoke with Aimee Rauck last week regarding the current placement of her accessory shed which is across the street from my home. I have no objections to the placement of this shed. The trees and bushes hide a good portion of it and since the Rauck's plan on painting the shed the same color as their house, the shed will just blend in with the rest of the property.

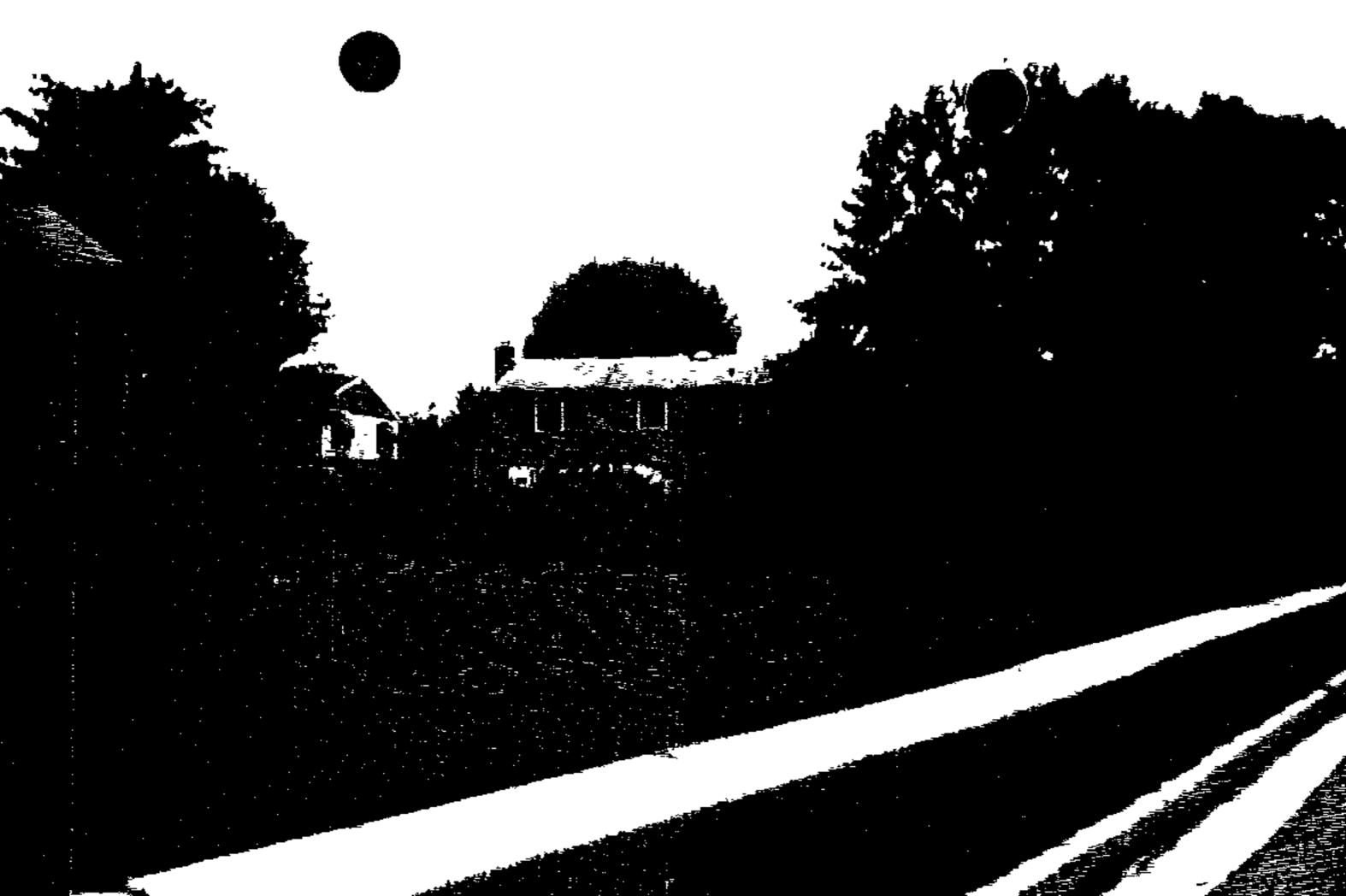
I am in favor of a zoning variance for this shed and see no need to have it moved. Thank you.

Sincerely,

Mrs. James Grem

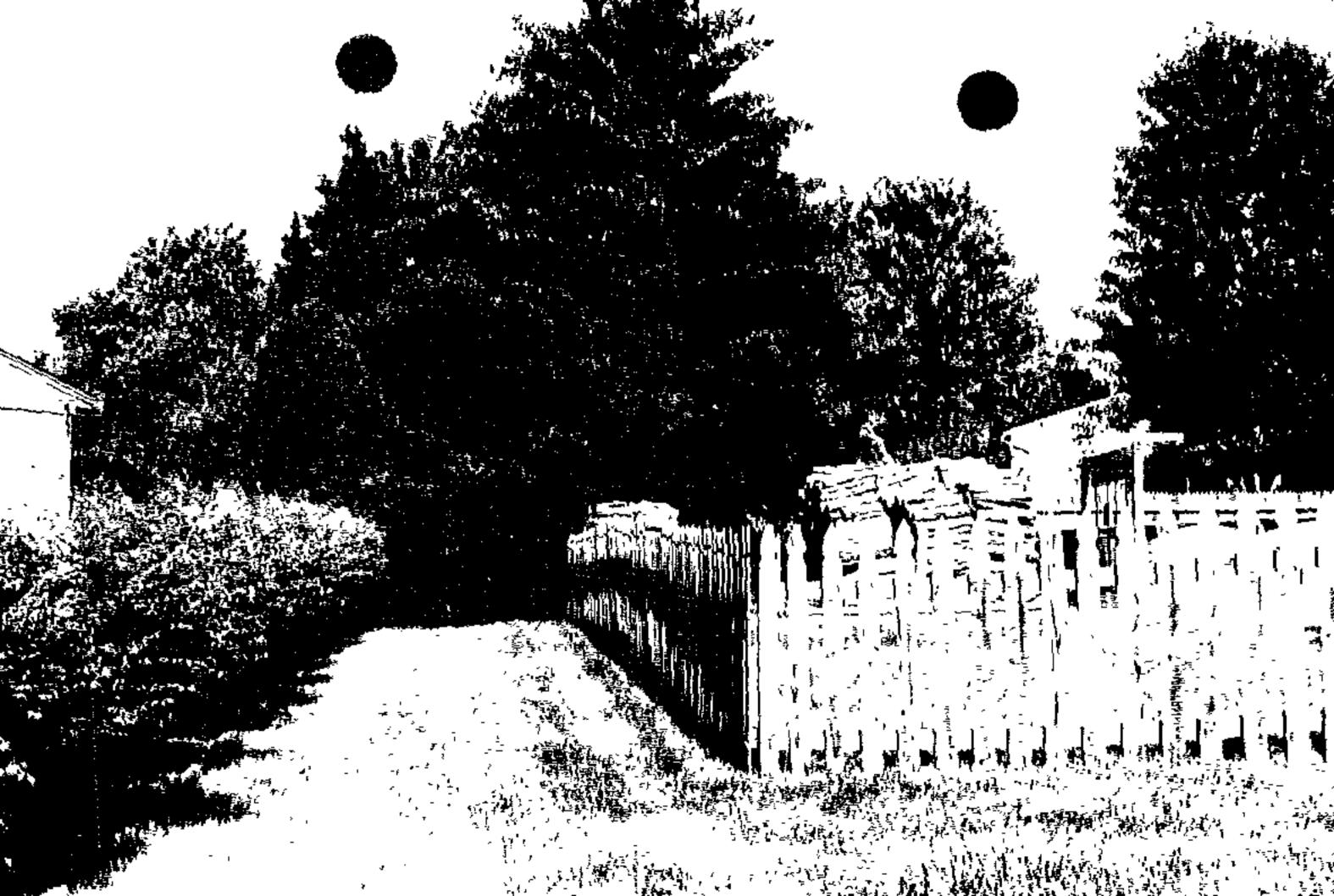
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
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Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the requested variance. The home is located on a corner between public streets. As a result, the rear yard is very limited in size and is already occupied with the pool, pool surround and mature vegetation. I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no other practical place to locate the shed. Furthermore, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Specifically, I find that the shed is nearly invisible from Country Lane because of the mature cedar tree and what one can see of it from Springside Drive is neither offensive nor adverse to the community. I am particularly persuaded by the Yeagers' testimony not to order the shed be relocated into the Petitioners' rear yard.

THEREFORE, IT IS ORDERED, this _____ day of April, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (shed) to be located in the side yard in the third portion of the lot closest to the road in lieu of the required rear yard in the third portion of the lot farthest removed from the road, be is and hereby APPROVED.

Any appeal of this decision must be made within thirty (30) days of the date of this

Order

JOHN W. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj