

IN RE: PETITION FOR ADMIN. VARIANCE
SE/Corner Old Court Road
and Glencliffe Circle
3rd Election District
2nd Councilmanic District
(1 Glencliffe Circle)

Arno P. & Ruth L. Drucker
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-438-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, Arno P. and Ruth L. Drucker. The variance request is for property located at 1 Glencliffe Circle in the "Glencliffe" subdivision of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with a 35 ft. front setback in lieu of the required 50 ft. 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 on April 2, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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.

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

ORDER RECEIVED FOR FILING

Date

by

4/23/04
J. P. O'Connell

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."

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 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 advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' variance request should be GRANTED.

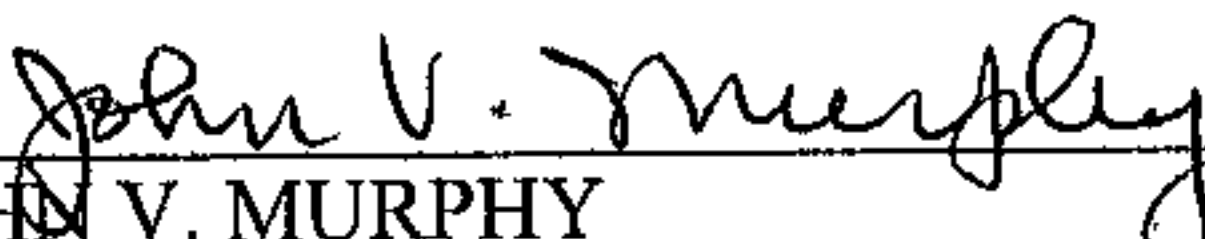
THEREFORE, IT IS ORDERED, this 23 day of April, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with a 35 ft. front setback in lieu of the required 50 ft, be and it 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

ORDER RECEIVED FOR FILING
Date 4/23/04
By R. J. [Signature]

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;

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
4/23/14
J. P. Johnson

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 23, 2004

Mr. & Mrs. Arno P. Drucker
1 Glencliffe Circle
Baltimore, Maryland 21208

Re: Petition for Administrative Variance
Case No. 04-438-A
Property: 1 Glencliffe Circle

Dear Mr. & Mrs. Drucker:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been approved 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 cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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



Printed on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1 Glencliff Circle
which is presently zoned DR1

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) 1802.3B. (BCZR)

TO PERMIT AN ADDITION (GARAGE) WITH A 35-FOOT FRONT SETBACK
IN LIEU OF THE REQUIRED 50-FOOT.

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):

Arno P. Drucker Ruth L. Drucker
Name - Type or Print

Arno P. Drucker Ruth L. Drucker
Signature

Arno P. Drucker Ruth L. Drucker
Name - Type or Print

Arno P. Drucker
Signature

1 Glencliff Circle 410/296-4930
Address Telephone No.

Baltimore MD 21208
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

Public Hearing 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 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. 04-438-A

Reviewed By D. Thompson Date 3/24/04

Estimated Posting Date 4/4/04

REV 10/25/01

ORIGINAL RECEIVED FOR FILING
DATE 4/25/04
BY [Signature]

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

Address 1 Glencliffe Circle
City Baltimore State MD Zip Code 21208

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):

My wife and I are 70 years old. While we are not yet wheelchair bound the walkway being constructed from the garage to the house will permit us to access the house without having to use steps – an important consideration at our age. The covering for the walkway is needed to provide protection from rain and bad weather. The covering would in no way significantly affect our house, the garage, or the neighbors. We would be most grateful for this covering to be permitted.

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.

Arno P. Drucker
Signature

Arno P. Drucker
Name - Type or Print

Ruth L. Drucker
Signature

Ruth L. DRUCKER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of March, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Arno P. Drucker
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Tracy S. Drucker
Notary Public

My Commission Expires 5/1/05

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

Address 1 Glencliffe Circle
City Baltimore, MD State MD Zip Code 21208

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):

My wife and I are 70 years old. While we are not yet wheelchair bound the walkway being constructed from the garage to the house will permit us to access the house without having to use steps – an important consideration at our age. The covering for the walkway is needed to provide protection from rain and bad weather. The covering would in no way significantly affect our house, the garage, or the neighbors. We would be most grateful for this covering to be permitted.

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.

Arno P. Drucker
Signature

Arno P. Drucker
Name - Type or Print

Ruth L. Drucker
Signature

Ruth L. DRUCKER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of March, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Arno P. Drucker
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Tracey D. Under
Notary Public

My Commission Expires 5/1/05



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1 GLENCLIFFE CIRCLE
which is presently zoned D.R.1

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) 1302.3B. (BCZR)

TO PERMIT AN ADDITION (GARAGE) WITH A 35-FOOT FRONT SETBACK
IN LIEU OF THE REQUIRED 50-FOOT.

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):

Arno P. Drucker
Name - Type or Print

Arno P. Drucker
Signature

Ruth L. Drucker
Name - Type or Print

Ruth L. Drucker
Signature

1 Glencliffe Circle
Address

410/296-4930
Telephone No

Baltimore
City

MD
State

21208
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. 04-438-A

Reviewed By D. THOMPSON Date 3/24/04

Estimated Posting Date 4/4/04

Zoning Description for 1 Glencliffe Circle

Beginning at a point on the south side of Old Court Road at the East corner of Glencliffe Circle which is 50 feet wide. Being Lot #4 in the subdivision of "Glencliffe" as recorded in Baltimore County Plat Book #27, Folio #84 containing 32,760 square feet. Also known as 1 Glencliffe Circle and located in the 3rd Election District, 2nd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 35730

DATE 3/24/04 ACCOUNT 00100606150

AMOUNT \$ 65.00

RECEIVED FROM: ARNO DRUCKER

FOR: Item # 438 04-438-A

1 GLENCLIFFE CIRCLE BY D. THOMPSON

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS ACTUAL TIME DAY

3/25/2004 3/25/2004 11:26:10 2

REF: 4502 MAIL NEW.ME

RECEIPT # 32859 3/25/2004 OFIN

ITEM 5 523 ZONING VERIFICATION

CR NO. 035730

Receipt Tot \$65.00

\$65.00 TX \$65.00 EA

Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No.: 04-438-A

Petitioner/Developer: _____

Arno Drucker

Date of Hearing/Closing: 4-19-04

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 1 Glenclyffe Circle
Pikesville, MD 21208

The sign(s) were posted on April 2, 2004
(Month, Day, Year)



Sincerely,

Stacy Gardner 4/2/04
(Signature of Sign Poster and Date)

Stacy Gardner

CHANNON BAY SIGNS INC.

105 COMPETITIVE GOALS DR.

ELDERSBURG, MD. 21784
(Address)

410-781-4000

(City, State, Zip Code)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04- 438 -A Address 1 GLENCLIFFE CIRCLE

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/24/04 Posting Date: 4/4/04 Closing Date: 4/19/04

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- 438 -A Address 1 GLENCLIFFE CIRCLE

Petitioner's Name DRUCKER Telephone 410-296-4930

Posting Date: 4/4/04 Closing Date: 4/19/04

Wording for Sign: To Permit AN ADDITION (GARAGE) WITH A 35-FOOT FRONT
SETBACK IN LIEU OF THE REQUIRED 50-FOOT.

**Department of Permits
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*

April 19, 2004

Arne P. Drucker
Ruth L. Drucker
1 Glencliffe Circle
Baltimore, Maryland 21208

Dear Mr. and Mrs. Drucker:

RE: Case Number: 04-438-A, 1 Glencliffe Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 24, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 31, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 31, 2004

Item No.: ⁴³⁶436-449

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

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 18, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For April 12, 2004
Item Nos. 436, 437, (438), 439, 440, 441,
445, 446, 447, 448, and 449

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *RS/JPD*

DATE: April 5, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

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

04-436

04-437

04-438

04-439

04-440

04-441

04-445

04-446

04-447

04-448

04-449

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 8, 2004

RECEIVED

APR - 8 2004

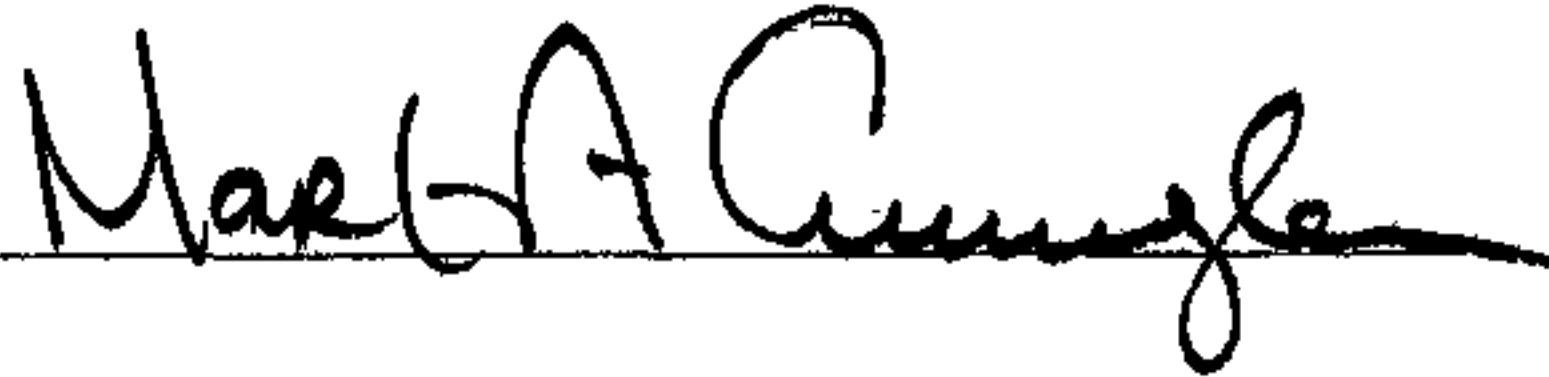
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case 4-438 – 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:



Division Chief:



AFK/LL

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.5.04

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

RE: Baltimore County
Item No. 438 DT

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 125 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 Phone: 410.545.0300 www.marylandroads.com

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 1 GLENCLIFFE Circle

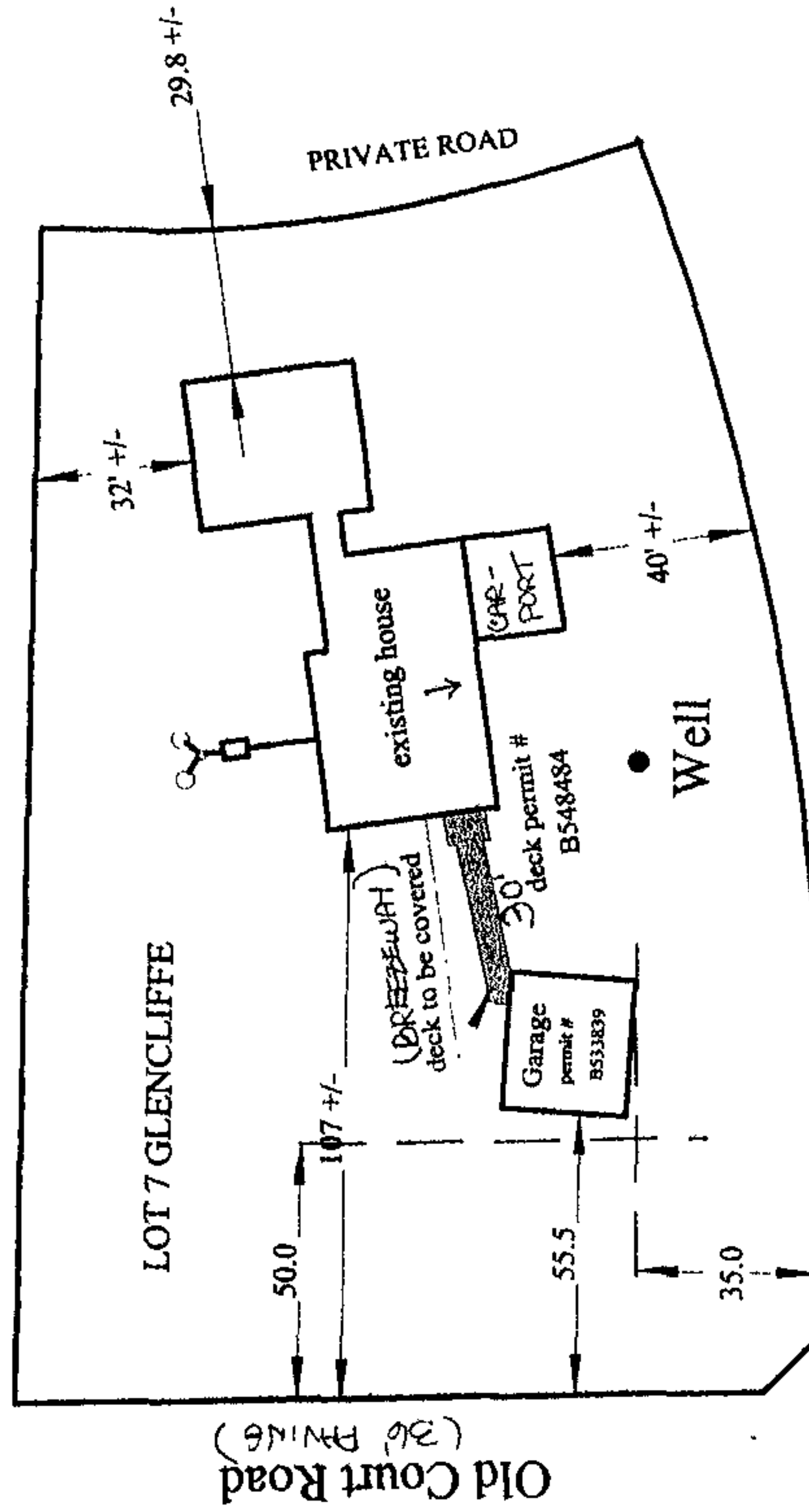
SUBDIVISION NAME GLENCLIFFE

PLAT BOOK # 27 FOLIO # 84 LOT # 4 SECTION # 1

OWNER ARNO & Ruth Drucker

GEORGE HESS

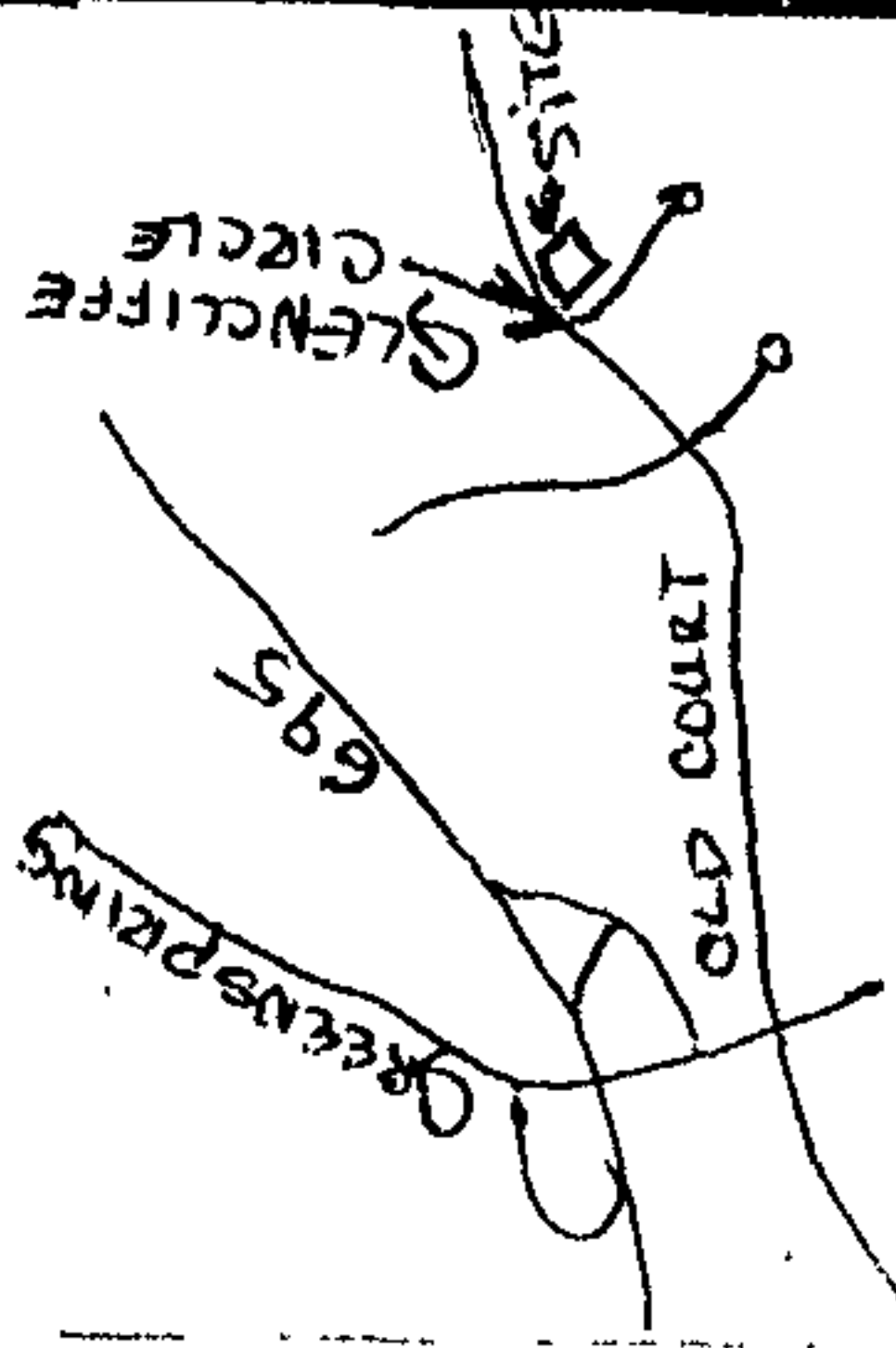
(NO DWELLING WITHIN 200')



NORTH

#1
R.D.
Glenclyffe Circle
(50' R/W)

PREPARED BY Tommy Morrison SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # NW 9 & 10 C

ZONING DRI

LOT SIZE .752 ACRES

SQUARE FEET

PUBLIC ☐ PRIVATE ☒

SEWER ☐

WATER ☐

YES ☐ NO ☒

CHESAPEAKE BAY CRITICAL AREA ☐

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY / BUILDING ☐

PRIOR ZONING HEARING 03-569-A

01-248-A

ZONING OFFICE USE ONLY
REVIEWED BY D. Thompson ITEM # 438 CASE # 04-438-A

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Old Court Road @
E/Corner of Glencliffe Circle
3rd Election District
2nd Councilmanic District
(1 Glencliffe Circle)

Ruth L. & Arno P. Drucker
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-569-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by Ruth L. and Arno P. Drucker, the legal owners of the subject property. The variance request is for property located at 1 Glencliffe Circle in the Pikesville area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (detached garage) to be located in the front yard closest to the street in lieu of the required rear yard in the third of the lot farthest removed from any street. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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 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

Date 7/9/03

By J.P. Ganss

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

In addition, the Petitioners must be in compliance with the requirements set forth in the Zoning Advisory Committee (ZAC) Comment submitted by the Office of Planning dated June 16, 2003, a copy of which is attached hereto and made a part hereof.

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 9th day of July, 2003, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (detached garage) to be located in the front yard closest to the street in lieu of the required rear yard in the third of the lot farthest removed from any street, 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.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

Date 7/9/03

By R. Jameson

RECEIVED FOR FILING

N 570,000

W 18,000
N 36,000
N 36,000
W 18,000

N 569,000

N 35,000

NW 10-C

OLD ROAD

COURT
BRANCH
MOORES
RD.

COURT
RD.

GLENCLIFFE
GLENCLIFFE

CIRCLE

133

133

D.R. I

D.R. I

1" = 200' scale
MAP # NW 9-C + 10 C

04-438-A

PARK

THE PARK
SCHOOL

SITE



Garage - side door



Projected walkway path



Projected walkway path



Present house

04-438-A