IN RE: PETITION FOR ADMIN. VARIANCE SE/S of High Mill Court,
280 ft. E of Highside Court
4th Election District
2nd Councilmanic District
(10 High Mill Court)

Jane & Ralph Armacost

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 04-565-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, Jane and Ralph Armacost. The variance request is for property located at 10 High Mill Court in the Owings Mills area of Baltimore County. The variance request is from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b and V.B.6.c CMDP (1971-92), to permit a window to property line setback of 7 ft. on a between window distance of 30 ft. in lieu of the required 15 ft. and 40 ft. respectively and to amend the Final Development Plan of "Worthington Glen" for Lot 23, Sec. 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 on June 13, 2004, 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 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 2 day of July, 2004, that a variance from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b and V.B.6.c CMDP (1971-92), to permit a window to property line setback of 7 ft. on a between window distance of 30 ft. in lieu of the required 15 ft. and 40 ft. respectively and to amend the Final Development Plan of "Worthington Glen" for Lot 23, Sec. 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;

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

IVM:rai

ORDER REGENED FOR FILING

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

July 1, 2004

Mr. & Mrs. Ralph Armacost 10 High Mill Court Owings Mills, Maryland 21117

> Re: Petition for Administrative Variance Case No. 04-565-A Property: 10 High Mill Court

Dear Mr. & Mrs. Armacost:

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

JVM:raj Enclosure

c: Gerard Andersen
7110 Golden Ring Road
Baltimore, MD 21221



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 10 14; 9h Mill ch. which is presently zoned D. R. 3.5

I/We do solemnly declare and affirm, under the penalties of

#

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) 504 BZR AND V. B. L. 6 and V. B. 6C, C.M.D.P. (1971-92) To Permit a mindou to property Line setback of TAH and Between window distance of 30 ft in Lieu of the Regular of 15 Ft amb 404t. Respectively and to Amend the Final Development Plan of Worth Layton Glan for Lotte 23 sect. I

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.

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): rmacos7 Name - Type or Print Name Signature macos vane Address Telephone No. Name - Type or Print City Zip Code State Attorney For Petitioner: Telephone No. Name - Type or Print Zip Code State Representative to be Contacted: Signature Company Addoss Telephone No. Telephone No. State Zip Code Zip Code State Publical learing 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 s of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County l NO. Reviewed By Date 10/25/01 **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 re	eside at 10 High Mill CF
,	13a/+0 /1/2 2117
	City State Zip Code
Variance at the above address (Indicated we would like to deck at the rear week 15th in the right side but the lot is pie she but back 63 At in the so we do sit b	build a 12 x 20 parlo Room on the
-	
That the Affiant(s) acknowledge(s) the advertising fee and may be required to	nat if a formal demand is filed, Affiant(s) will be required to pay a reposting and provide additional information.
Signature Denna	Signature Cundell
Arma COST Ra/p Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY O	
I HEREBY CERTIFY, this 29 day of Maryland, in and for the County afor	of may age , 2004, before me, a Notary Public of the State esaid, personally appeared
Ralph + Jane	
	or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial S	eal ()
DELORES A. SCOTT NOTARY PUBLIC STATE OF MARY	LAND : States CI. State
My Commission Expires November 2	6, 2005 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 regard thereto.

That the Affiant(s) does/do presently reside at	10 High Mill CF
1	Address Ba Fo Mark 2 1 7 City State Zip Code
Variance at the above address (indicate hardshi We would like to buil deck at the rear of We need 15-At rear right side but one the lot is pie shaped Back 63At in the from so we do sit back	owing are the facts upon which I/we base the request for an Administrative ip or practical difficulty): Id a 12'x20' patio Room on the Ext our home set back we have 17 ft on the In the or the left. This is because If And because the house sits out the front set back is 25 pt. on the lot.
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information. Signature
Armacost Ralph. Name - Type or Print	Arma cost Vane Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIN	
of Maryland, in and for the County aforesaid, per	nacost
the Affiant(s) herein, personally known or satisfa AS WITNESS my hand and Notarial Seal	ictorily identified to me as such Amant(s).
DELORES A. SCOTT NOTARY PUBLIC STATE OF MARYLAND My Commission Expires November 26, 200	1/17/16
	My Commission Expires



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10/4; gh Mill ch.
which is presently zoned D. R 3.5

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

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) 30 504 BCZR. and V.B. C.B. and VBKR CM.D.P. (1971-92) Topermital window to properly Line schools and The Required 15 At and 40 At an a between window distance of 30 At inlien and the Required 15 At and 40 At Respectively and to Amend the Final Development Plan of Wanthington Glen for Lot 23, Sect (all for a proposed sunknown Addition)

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: <u>Legal Owner(s):</u> macost Name - Type or Print Signature Signature ritta COS Vane Address Telephone No. City State Zip Code Attorney For Petitioner: Telephone No Name - Type or Print State Zip Code Representative to be Contacted: Signature Company Address Telephone No. Telephone No City State Zip Code Zip Code State 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.

Estimated Posting Date

Zoning description for 10 High Mill court.

Beginning at a point on the eastside of High Mill Court. Which is 120 Are wide at the distance of 400 ft. of the centerline of the nearest improved intersecting street High Side court. which is 50 ft. wide. *Being in lot #23, Section #1 in the subdivision of Worthington Glen as recorded in the Baltimore County Play Book #60, Folio #10, Containing 11,106 Sq. Ft., Also known as 10 High Mill court. and located in the 4th

Election District, Councilmanic district

6

BAITIMORE COUNTY	MARVIAND		
BALTIMORE COUNTY OFFICE OF BUDGET & FIL MISCELLANEOUS RE	VANCE CEIPT	65 No. 359	
DATE 6/01/	ACCOUNT	20/006	150
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FOR:	Made	A	154
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PAID RECEIPT

RESIMERS ACTUAL TIME DAY

6/14//104 6/04/2004 10:07:20

REG MEDIA MALKIN DUCK DAD

7/167E IPT # 7/7782 8/14/2004 DETA

Dept 120 INVINE VERTETCATION

CX NO. 120701

Recpt fot \$1.50.00

#130.00 CK #.00 Ch Baltimore County, Haryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 04-565-A

Petitioner/Developer: PALPh + JAWE ARMACOST Date of Hearing/Closing: 6/ **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Kristen Matthews {(410) 887-3394} 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: 10 HIGH MILL CT The sign(s) were posted on Sincerely, (Signature of Sign Poster) SSG Robert Black ADMINISTRATIVI (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case Number 04- 565 -A Address 10 HIGH MILL CT.						
Contact Person: John Lewis Planner, Please Print Your Name Phone Number: 410-887-3391						
Filing Date: 4 6/04 Posting Date: 6/13/04 Closing Date: 6/78/04						
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.						
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. <u>DEADLINE:</u> 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.						
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- 565 -A Address 10 HIGH MILL CT.						
Petitioner's Name RALPHY JANE ARMACOST Telephone 4103564068						
Posting Date: _6/13/04 Closing Date: _6/28/04						
Wording for Sign: To Permit A A TET, PROPERTY LINE SETBACK AND A 30 ET, FACINA						
WINDOW TO WINDOW TOSTANCE IN LIEN OF THE REQUIRED 15 FT AND 40 FT.						
RESPECTIVELY AND TO AMEND THE FINAL THEVELOPMENT PLAN FOR LOT#23,						
SECTION I OF WORTHINGTON GUEN						
WCR - Revised 6/28/00						

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.

For Newspaper Advertising:
Item Number or Case Number: # 56.5 A
Petitioner: ARMACOST
Address or Location: 10 HIGH MILL CT
PLEASE FORWARD ADVERTISING BILL TO:
Name: <u>Champion</u> Address: 7110 Golden Ring Rd
Address: 7110 Golden Ring Rd
Balto Md 21221
Telephone Number: 410 780-0062

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

June 28, 2004

Ralph Armacost Jane Armacost 10 High Mill Court Owings Mills, Maryland 21117

Dear Mr. and Mrs. Armacost:

RE: Case Number:04-565-A, 10 High Mill Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 4, 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.

W. Callablal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Gerard Anderson 7110 Golden Ring Road Baltimore 21221



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

June 17, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 14, 2004

Item No.:

3550, 554-557, 559-571

5(5)

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







Neil J. Pedersen, Administrator

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.15.04

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

RE:

Baltimore County

Item No. 565

ノレト

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,

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

1. 1. Dredle

12/04.

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

July 2, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 14, 2004

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

04-554

04-555

04-557

04-559

04-562

04-564

04-565 04-568

04-571

Reviewers:

Sue Farinetti, Dave Lykens

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: RE22,3904 ED

JUN 2 3 2004

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 4-565 – 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:

MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: July 2, 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 June 21, 2004

Item Nos. 550, 554, 555, 556, 557, 559, 560, 561, 562, 563, 564, 565, 566, 568,

and 569

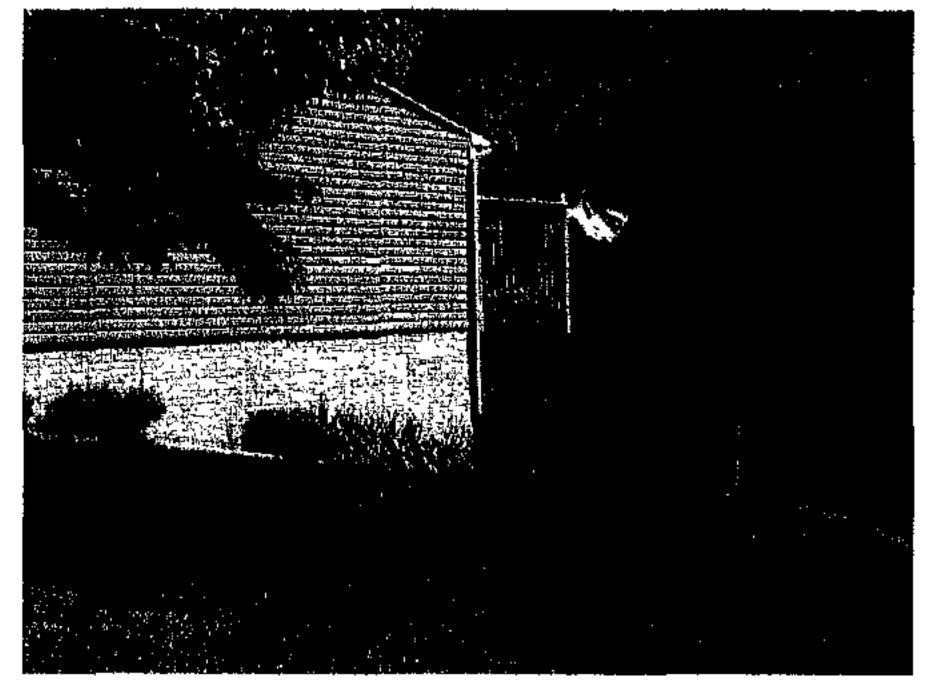
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

Rightside

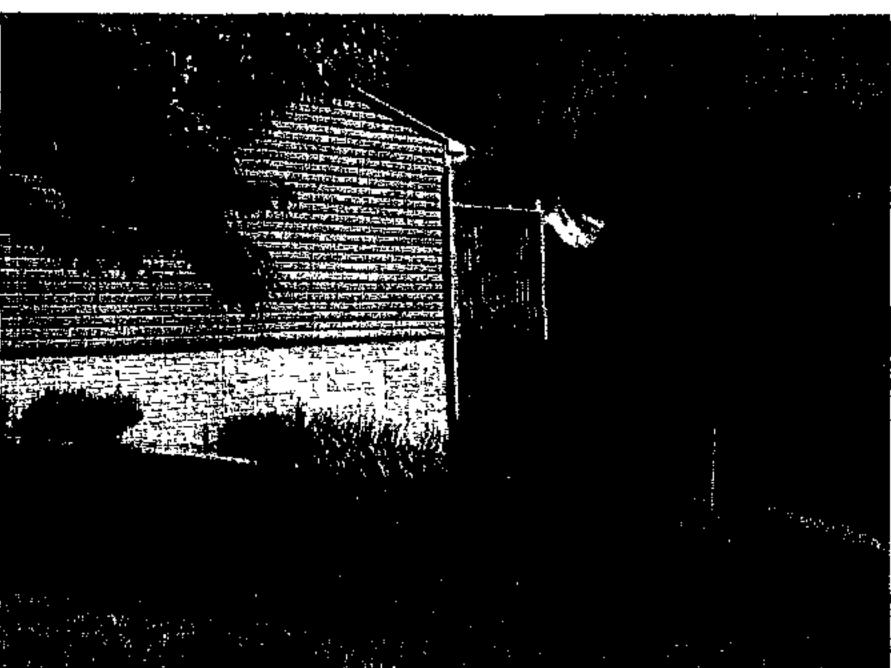




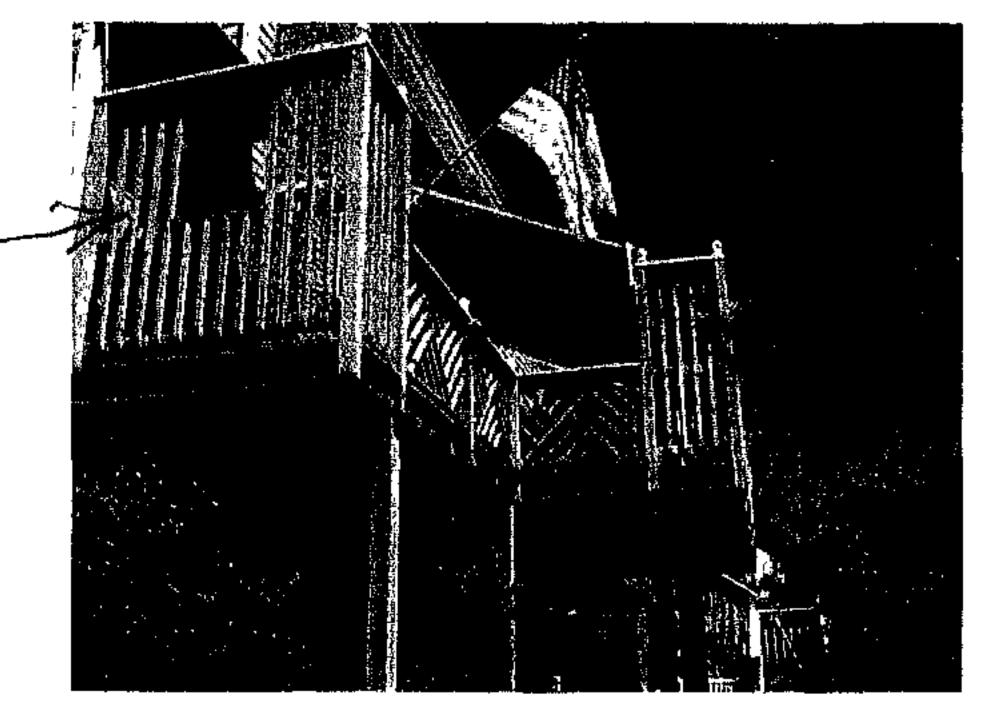








Location of room on Ext deck-



Right Side Backwith Odeck

5

# 16 Golden grass PREPARED BY Genard Anderson SCALE OF DRAWING: 1" = 30'	22 - 5 Transport of the second	2 X # X	ION FOR ZONING WARIAN
REVIEWED BY HEN# A CASE #	VICINITY CALE: 1": CALE: 1": TRICT REAGE PUBLIC PUB	HAPT M	CE SPECIAL HEARING