IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Farringdon Court, 165 ft. +/- N
centerline of Farringdon Road
3rd Election District
2nd Councilmanic District
(5 Farringdon Court)

Ellen F. & Noah W. Lightman

Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * CASE NO. 05-327-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, Ellen F. and Noah W. Lightman. The variance request is for property located at 5 Farringdon Court in Baltimore County. The variance request is from Section 1B01.C.1(b) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear setback of 27 ft. for a proposed attached family room to the existing dwelling in lieu of the required 30 ft. minimum rear building setback. 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 January 7, 2005, 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 ______ day of February, 2005, that a variance from Section 1B01.C.1(b) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear setback of 27 ft. for a proposed attached family room to the existing dwelling in lieu of the required 30 ft. minimum rear building setback, 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.

OHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

CADER RECEIVED FOR FILMS

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
William J. Wiseman III, Zoning Commissioner

February 2, 2005

Mr. & Mrs. Noah Lightman 5 Farringdon Court Baltimore, Maryland 21209

> Re: Petition for Administrative Variance Case No. 05-327-A Property: 5 Farringdon Court

Dear Mr. & Mrs. Lightman:

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: Guy C. Ward
McKee & Associates, Inc.
5 Shawan Rd., Suite 1
Cockeysville, MD 21030



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	5 Farringdon Court	t
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)

See Attached

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 perjury, that I/we are the legal is the subject of this Petition.	affirm, under the property of	penalties of operty which
Contract Purchaser/L	<u>.essee:</u>		<u>Legal Owner(s):</u>		
_	· · · · · · · · · · · · · · · · · · ·		Noah Mr. Lightman		
Name - Type or Print			Name - Type or Print	h-1-	
Signature		· · · · · · · · · · · · · · · · · · ·	Signature		
			Ellen F. Lightman		1.1,
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Petition	er:		5 Farringdon Court	(410) 484-9484	
			Address	· -	Telephone No.
			Baltimore, Md 21209		·
Name - Type or Print			City	State	Zip Code
-			Representative to be C	ontacted:	
Signature			Guy C. Ward McKee and Associates, In	<u> </u>	
Сопрапу			Name		
1		l .	/ 5 Shawan Road, Suite 1	(410) 527–15	555
Address		Telephone No.	Address		Telephone No.
			Cockeysville, MD 21030		
City	State	Zip Code	City	State	Zip Code
A Rublic Hearing having been	n formally demand	ed and/or found to be	required, it is ordered by the Zoning	Commissioner of B	altimore County
TIBE 7 20 01 -	ina	it the subject matter of t	his petition be set for a public hearing,	advertised, as require	ed by the zoning
requations of Baltimore County	and that the proper	ty be reposted.	,		
9		-	Zoning Commissioner of	f Baltimora County	
	~ ~~ <i>"</i> /	•		•	
CASE NO.	> 1-4) Rev	iewed By	Date	<u>30·04</u>

Estimated Posting Date 1.9.05

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	at 5 Farringdon Court				
mar the rundings, does do presently reside at	Address	<u>'</u>		<u></u>	
ı	Baltimore, MD	21209	Ct-t-		
	City		State	Zip Code	
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts to p or practical difficu	ipon which !/v !tv):	ve base the reque	est for an Administrative	
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See Attached					
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Noah 🕭 Lightman Name - Type of Print		me - Type or Pri			
- *					
STATE OF MARYLAND, COUNTY OF BALTIM	•		·		
I HEREBY CERTIFY, this 29th day of 00 day of 0	ecember Econolly appeared	<u>2004</u>	, before me, a No	otary. Public of the State	
		-	-ma)		
the Affiant(s) herein, personally known or satisfactors	actorily identified to	me as such	Affiant(s) and ma	ade oath in due form of	
law that the matters and facts hereinabove set for	orth are true and co	rrect to the be	st of his/her/their	knowledge and belief.	
AS WITNESS my hand and Notarial Seal				-	
1) 70 200L		9 (\sim		
Date December 29, 2004	Metary Pu	Tillen ~	-). Swer		
	24 0-	ission Expires	al.lac		
	My Comm	iission Expires	7/1/06	······································	

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	· · · · · · · · · · · · · · · · · · ·				
	Address	. MED 271.2000			
	City	e, MD 21209	State	Zip Code	
	•			•	
That based upon personal knowledge, the followard Variance at the above address (indicate hardship)	wing are the p or practical	facts upon white difficulty):	ich I/we base the red	quest for an Administrative	
See Attached					
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That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	mal demand idditional info	d is filed, Affia ormation.	nt(s) will be require	ed to pay a reposting and	
Noah W. Lightman Signature	<u> </u>	<u>Fillen F.</u> Signature	Lightman	·	
Noah lightmen (n.D.) Name - Type or Print		Name - Type	or Print		
.,,,,			· 		
STATE OF MARYLAND, COUNTY OF BALTIN			ΛΛέ/ h.s.s	. N.S	
HEREBY CERTIFY, this 29th day of	·	/		Notary Public of the State	
the Affiant(s) herein, personally known or satisf				made oath in due form o	
law that the matters and facts hereinabove set for	orth are true a	and correct to the	he best of his/her/the	eir knowledge and belief.	
AS WITNESS my hand and Notarial Seal		/			
Date December 29, 2004	 €	Joreen	<u>D. Same</u>		
vale ·	NOT Mv	ary Public Commission Ex	$_{\text{xpires}}$ $a / l / o$	6	

REU 09/15/98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	5 Farringdon Court	
which	is presently zoned	DR-5.5

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)

See Attached

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 a perjury, that I/we are the legist is the subject of this Petition	gal owner(s) of the	penalties of property which
Contract Purchaser/Le	ssee:		<u>Legal Owner(s):</u>		
Name - Type or Print	_		Noah M. Lightnan Name - Type or Print	<u> </u>	.
Signature			Signature V	en, hr.D.	
Address	<u> </u>	Telephone No.	Ellen F. Lightman Name - Type or Print	1 Km	÷
City	State	Zip Code	Signature Out Of	MINTAL	
Attorney For Petitioner	E		5 Farringdon Court Address Baltimore, MD 21209	(410) 484 -94 84	Telephone No.
Name - Type or Print			City	State	Zip Code
Signature			Representative to be Guy C. Ward McKee and Associates, I	-	
Company		<u> </u>	Name 5 Shawan Road, Suite 1	(410) 527–1	555
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	Cockeysville, MD 2103 City	30 State	Zip Code
A Public Hearing having been his day of day are gulations of Baltimore County a	. tha	it the subject matter of th	required, it is ordered by the Zoninis petition be set for a public hearing	ing Commissioner of g, advertised, as requ	Baltimore County, ired by the zoning

Estimated Posting Date

05-327-#

CASE NO.

REU 9/15/98

Attachment 1 Petition for Variance

Case Number _	 <u></u>		
		 	 <u></u>

Address: 5 Farringdon Court

Legal Owner(s): Noah and Ellen Lightman

Petitioner: Noah and Ellen Lightman

Present Zoning: DR5.5

Prior Zoning Case: N/A

Request for Variance:

To determine whether or not the Zoning Commissioner should approve:

A variance to Section 1B01C.1(b) to permit a rear setback of 27 feet for a proposed attached family room to the existing dwelling, in lieu of the required 30 foot minimum rear building setback.

Reason for Request

Due to the unique characteristics of the subject property and the existing dwelling location, the proposed addition must be placed in the proposed location. The proposed addition will be utilized for as a family room / exercise equipment room and will replace and slightly enlarge the existing screened in porch located on the rear of the existing dwelling. Without the requested relief, the Petitioner will suffer practical difficulty and undue hardship due to the necessity to reconfigure the existing dwelling to accommodate the proposed addition. The exercise equipment portion of the room is necessary for Mr. Lightman, due to health conditions.

FOR ADDITIONAL INFORMATION ON THIS PETITION PLEASE CONTACT:

Guy C. Ward, R.S., Associate McKee & Associates, Inc

Engineering, Surveying, Land Planning, Real Estate Development Shawan Place, 5 Shawan Road, Suite 1, Hunt Valley, MD 21030 Tel: (410) 527-1555 Fax: (410) 527 1563 E-Mail: mckee@qis.net

Zoning Description for 5 Farringdon Court:

Beginning at a point of the North side of Farringdon Court which is 50 feet wide at a distance of 165 feet North of the centerline of the nearest improved intersecting street Farringdon Road which is 50 feet wide. Being Lot # 16, Block C, Section # 1 in the subdivision Pickwick as recorded in Baltimore County Plat Book # 29, Folio # 30, containing 11,410.00 S.F., 0.26 Ac. Also known as 5 Farringdon Court and located in the 3rd Election District, 2nd Councilmanic District.

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CERTIFICATE OF POSTING

Date: <u>January 7, 2005</u>

RE: Case Number: 05 327 A

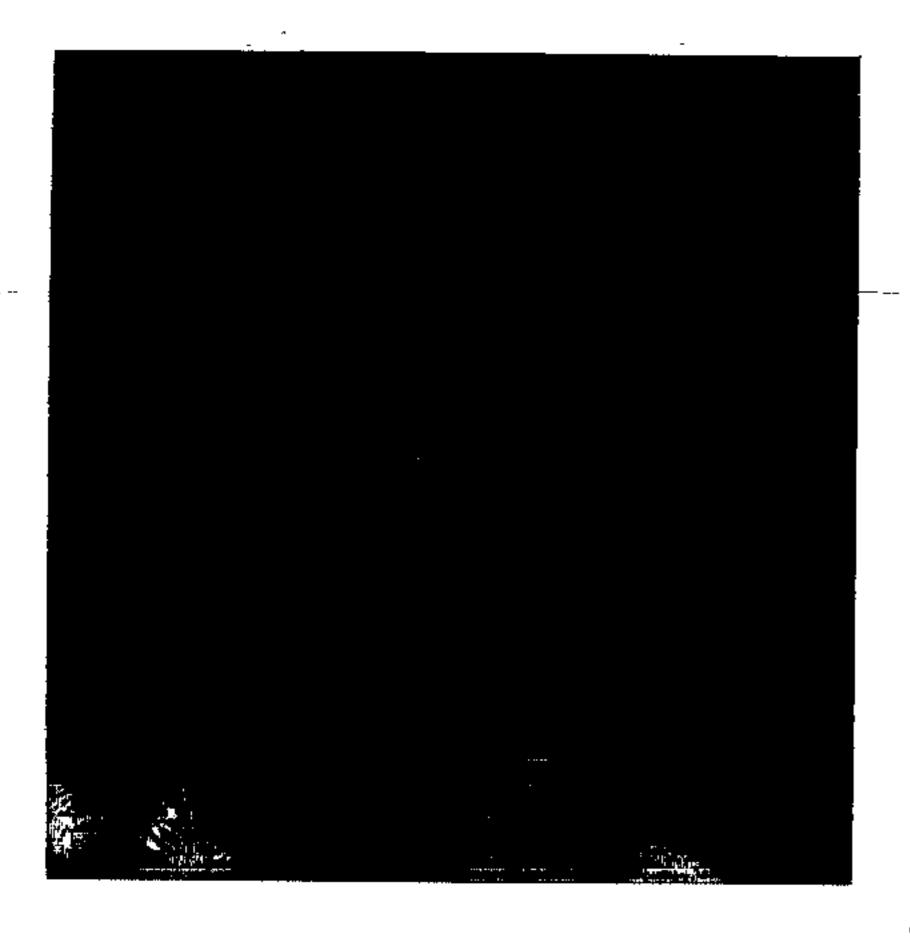
Petitioner/Developer: Noah Lightman

Date of Hearing/Closing: 1/27/05

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 5 Farringdon Court

The sign(s) were posted on January 7, 2005

(Month, Day, Year)



(Signature of Sign Poster)

J. Lawrence Pilson

(Printed Name of Sign Poster)

McKee and Associates, Inc.

5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ



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:32/	
Petitioner: Nort ELLEN UGHTMAN	
Address or Location: 5 FARRINGDON CONT	
PLEASE FORWARD ADVERTISING BILL TO: Name: Nort & Eller Light MAR-	
Address: 5 FARRINGION CT. BAT MD. 21209-2507	
Telephone Number: 40, 484-9484	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 327 -A Address 5 FARRINGDON CT-
Contact Person:
(Plainer, Please Print Your Name
Filing Date: 12-30-07 Posting Date: 1-9-05 Closing Date: 1-24-0
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. <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.
(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)
etitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
ase Number 05-327 -A Address 5 FAZRING DON CT.
etitioner's Name Noah Lightman Telephone 40-484-9484
osting Date: 1.9.05
/ording for Sign: To Permit A PEAR SETBALL OF 27 ft. FOR #
amily from in Lieu of THE REDUIRED 30ft.

Department of Permits Development Managen

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





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

January 20, 2005

Noah Lightman Ellen Lightman 5 Farringdon Court Baltimore, Maryland 21209

Dear Mr. and Mrs. Lightman:

RE: Case Number:05-327-A, 5 Farringdon Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 30, 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. Calliball

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Guy Ward McKee & Assoc. 5 Shawan Road, Ste. 1 Cockeysville 21030



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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: 319 = 333

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Franklin J. Cook. Fire Marshal's Office (0)410-887-4881 (C)443-829-2946 MS-1102F

cc: File



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 24, 2005

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 17, 2005

Item Nos. 319, 320, 323, 324, 325, 326,

327, 330, 331, 332, and 333

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

RWB:CEN:jrb

cc: File



TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr づっ

DEPRM

DATE:

February 3, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 10, 2005.

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

05-319

05-323

05-325

05-326

05-327

05-330

05-332

05-333

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: January 14, 2005

JAN 1 8 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONNIG COMMISSIONER

Zoning Advisory Petition(s): Case(s) 5-327 - 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 Cunningham in the Office of Planning at 410-887-3480.

Division Chief:

MAC/LL







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

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

Jem

Nativiand Department of Transportation

Date: 1.10.05

Baltimore County

Item No. 327

RE:

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

Towson, Maryland 21204

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,

Steven D. Foster, Chief

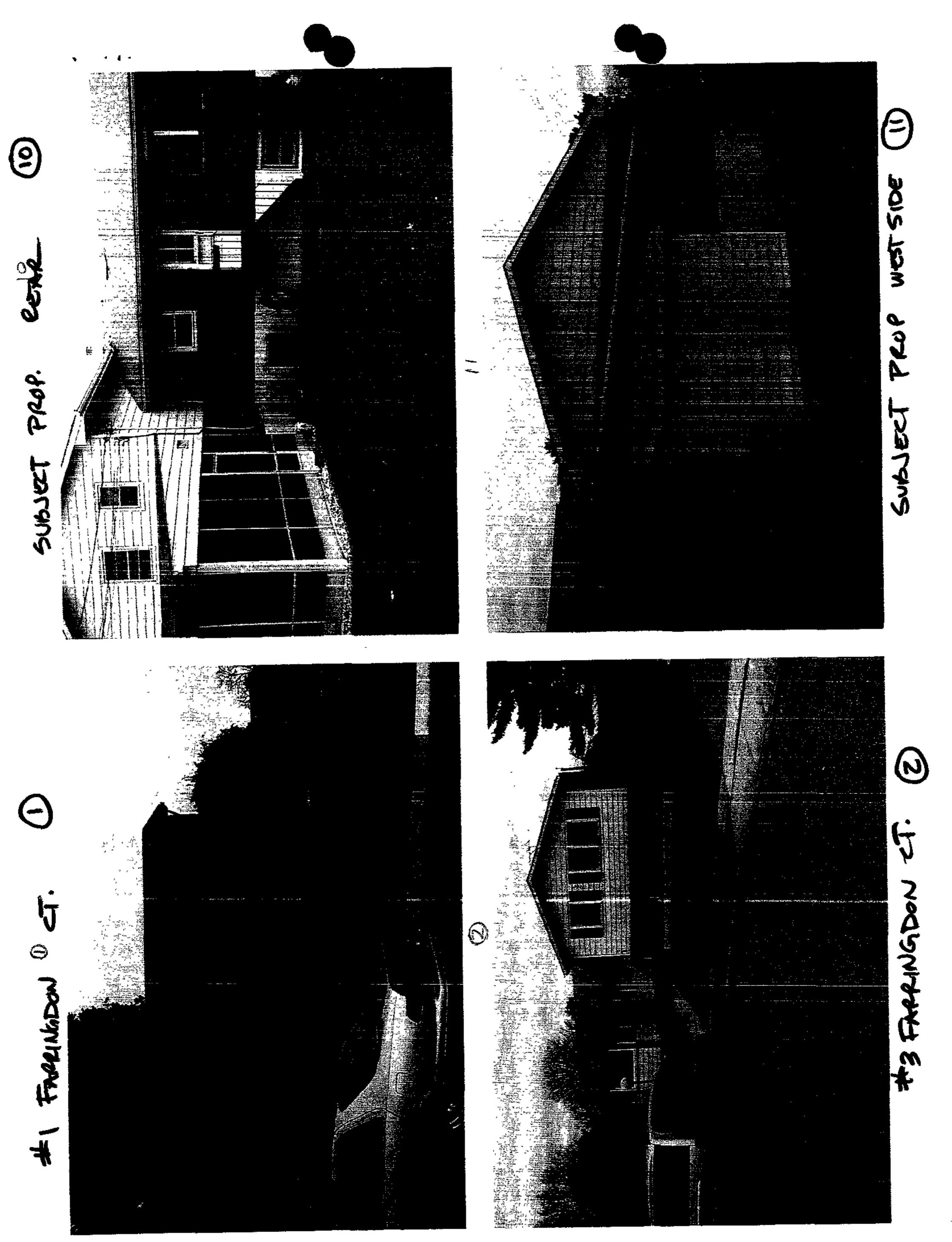
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Engineering Access Permits Division

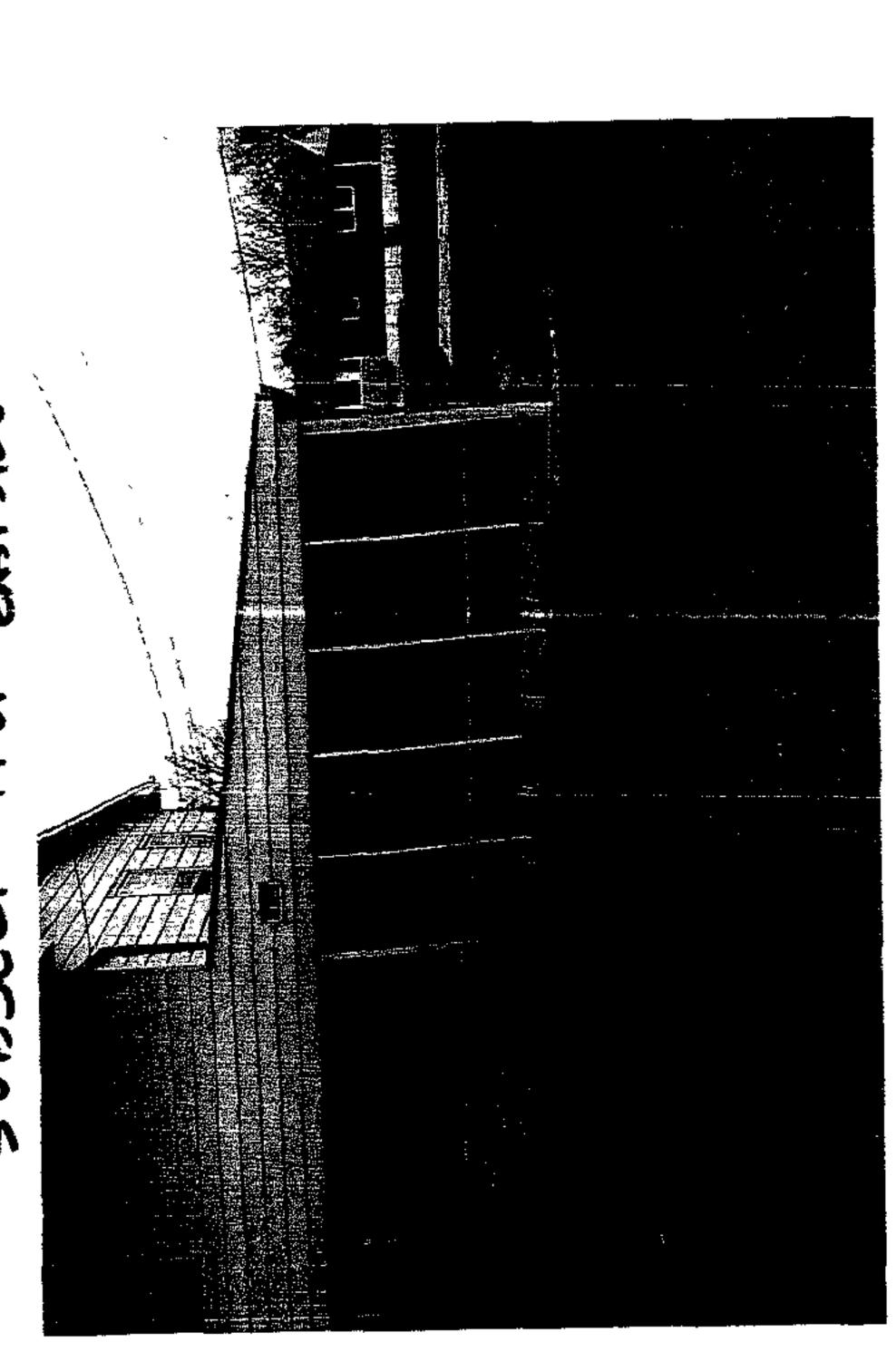


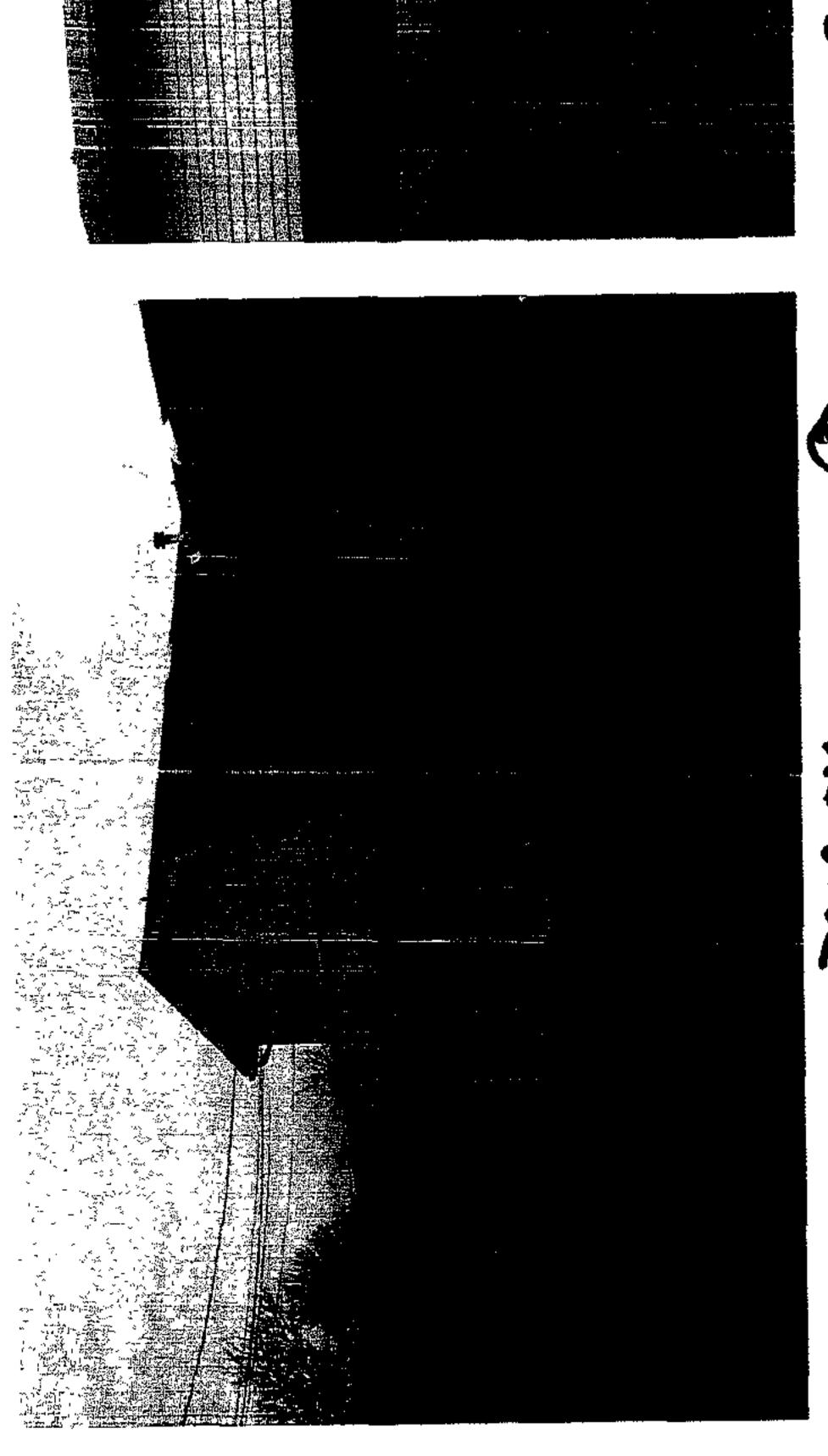


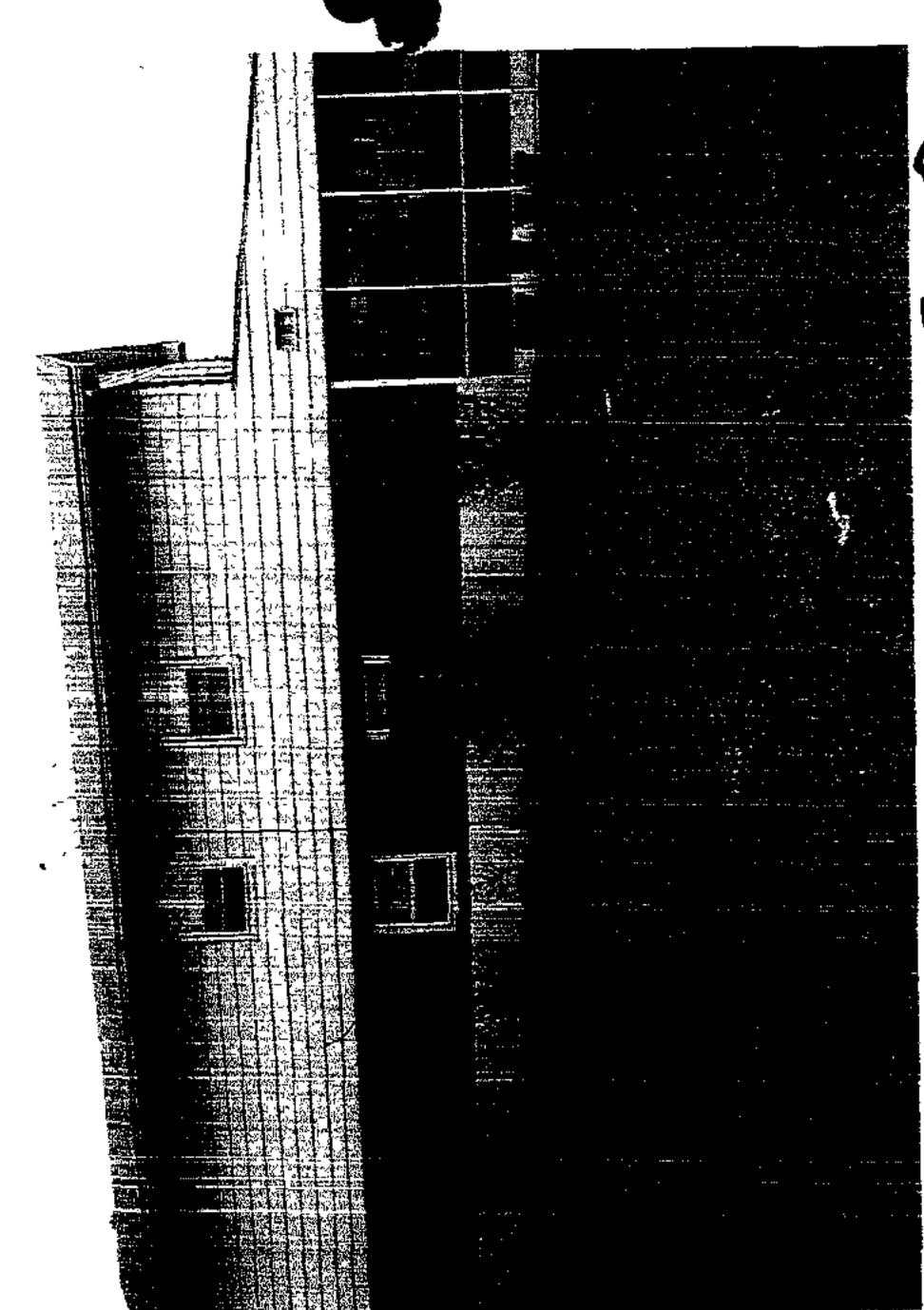
#5 FARFING DON COURT
AERIAL PHOTOGRAPH



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








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