

IN RE: PETITION FOR VARIANCE
S/S of Lauri Road, 520 ft. SE
centerline of Stevenswood Road
2nd Election District
4th Councilmanic District
(3317 Lauri Road)

Mack & Barbara Randolph
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-422-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, Mack and Barbara Randolph. The variance request is for property located at 3317 Lauri Road in Baltimore County. The variance request is from Section 1B02.3.B (1960) and 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 2.5 ft. for an open projection and a sum of side yards of 12.5 ft. in lieu of the required 6 ft. and 16 ft. combination, respectively.

The property was posted with Notice of Hearing on March 26, 2005, 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 24, 2005 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.

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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.

Interested Persons

Appearing at the hearing on behalf of the variance request was Mack Randolph, the Petitioner, who was represented by Neil Lanzi, Esquire. Edna Parker, an adjacent property owner attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 05-0215) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter due to the fact that a carport and deck were constructed without building permits.

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 Petitioner cannot use the fact that a structure has been built to set a precedent in order to allow it to continue. Nor does the fact that a structure may be costly to remove or modify come into consideration of 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 Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and

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Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this office.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, is lot 11 in the Stevenswood subdivision. Said lot is improved by the Petitioners' home and is zoned DR 5.5. The property is 67 feet wide by 130 feet long. See Petitioner's Exhibit 1. The Petitioner indicated that he wished to build a carport on the west side of his home to keep his three vehicles out of the weather. He indicated that this was the most reasonable location as he has a side door to his home and the entrance to his basement is on this side. He was unaware that he needed a permit for this addition, which is 85% complete, but was issued a stop work order by the County once they discovered the construction.

The carport is 14 feet wide in order to accommodate the width of his vehicles, his side door and basement entrance. This leaves 2.5 feet to the property line. Six (6) feet is required. In addition, the sum of the side yard setbacks is 10 feet + 2.5 feet or 12.5 feet. Sixteen (16) feet is required. The carport is the full length of his home or 32 feet, which he indicated will shelter all three vehicles. This relieves on-street parking problems and is very similar to the 11 carports he identified in the immediate area. See Petitioners' Exhibit 4 for the location of each carport. With so many in the neighborhood, Mr. Lanzi indicated that there would be no adverse impact on the community. He noted that the Petitioner could not build the carport on the east side of the property because there is no door on this side of his home, nor could he locate it in the rear yard due to an existing deck

Ms. Parker, who lives next to the Petitioner on the carport side, indicated that she did not oppose the requested relief, but wanted to be sure that neither the carport nor the construction company vehicles crossed over onto her property. Apparently, the Petitioners' construction

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company did some damage to her property in the past. Consequently, she requested and the Petitioner agreed to hire a property line surveyor to stake the actual line between the two properties. In addition, she wanted to be sure the exterior of the carport matched the Petitioner's home in style and material.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure. The lot is only 67 feet wide with 16 feet on one side of the home to the property line and 10 feet to the other property line on the other side. There is no place to build the carport on the 10-foot side and still maintain 6 feet to the property line. The carport has to be a little wider than the usual 12 feet because of the doors and entrances on the west side. There is no room in the back yard. Consequently, I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. This is the only reasonable place to put the carport.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in a manner as to grant relief without injury to the public health, safety and general welfare. There are 11 similar carports on the side of homes in the immediate area. This addition will not change the character of the community. However, I agree with Ms. Parker that the property line needs to be staked and that the materials be compatible with the Petitioners' home. I will add these as conditions for approval.

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 Petitioners, I find that the Petitioners' variance request should be granted.

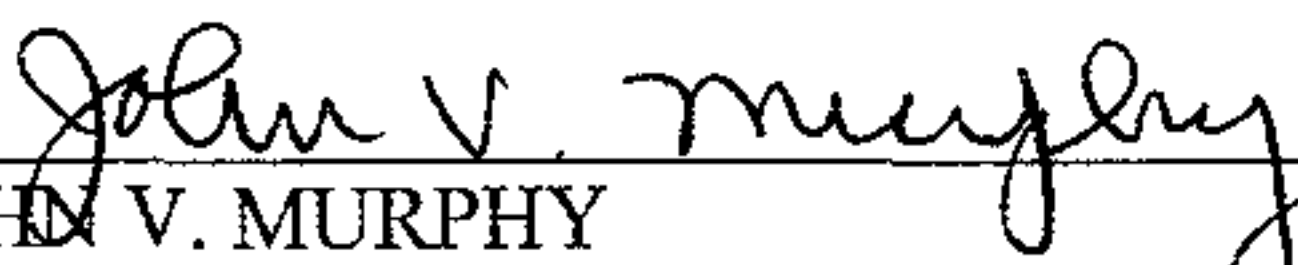
THEREFORE, IT IS ORDERED, this 12 day of April, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.B (1960) and 301.1A

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an open projection and a sum of side yards of 12.5 ft. in lieu of the required 6 ft. and 16 ft. combination, respectively, be and is hereby GRANTED subject to the following conditions:

1. The Petitioners shall hire a qualified property surveyor who shall stake the property line between 3317 and 3315 Lauri Road; and
2. The Petitioners shall submit elevations and sketches of the carport to the Planning Office for review and approval and shall use exterior materials that will be compatible with the Petitioners' home.

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
4/12/05
Ray

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

April 12, 2005

J. Neil Lanzi, Esquire
409 Washington Avenue, #617
Towson, Maryland 21204

Re: Petition for Variance
Case No. 05-422-A
Property: 3317 Lauri Road

Dear Mr. Lanzi:

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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Mack & Barbara Randolph, 3317 Lauri Road, Baltimore, MD 21244
Edna Parker, 3317 Lauri Road, Baltimore, MD 21244

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





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 3317 LAURI ROAD
which is presently zoned DR-5.5

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

*1B02.3.B (1960) and 301.1A to permit
a side yard setback of 2.5 ft. for an open projection (attached carport)
and a sum of side yards of 12.5 ft. in lieu of the required 6 ft.
and 16 ft. combination, respectively.*

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DETERMINED AT HEARING

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

Case No. DS-422-A

Legal Owner(s):

MACK RANDOLPH

Name - Type or Print

Mack Randolph

Signature

BARBARA RANDOLPH

Name - Type or Print

Barbara Randolph

Signature

3317 LAURI ROAD

Address

410-521-5436

Telephone No.

BALTIMORE

City

MD

State

21244

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BR Date 2/23/05

Zoning Description

ZONING DESCRIPTION FOR 3317 LAURI ROAD

Beginning at a point on the SOUTH side of

LAURI ROAD which is 50 feet

wide at the distance of 520' +/- south + east of the

centerline of the nearest improved intersecting street STEVENSWOOD ROAD

which is 50 feet wide. *Being Lot # 11,

Block C, Section # 2 in the subdivision of STEVENSWOOD

as recorded in Baltimore County Plat Book # 27, Folio # 28,

containing 6700 sq. ft. Also known as 3317 LAURI ROAD

and located in the 2nd Election District, 4th Councilmanic District.

No. 44210-10

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WALTER CASHIER

PINK • AGENCY

YELLOW CUSTOMER

CASHIER'S VALIDATION

**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: #05-422-A
3317 Lauri Road
S/side of Lauri Road, 520
feet S/east centerline of
Stevenswood Road
2nd Election District
4th Councilmanic District
Legal Owner(s): Mack &
Barbara Randolph

Variance: to permit a side
yard setback of 2.5 feet for
an open projection and a
sum of side yards of 12.5
feet in lieu of the required 6
feet and 16 feet combina-
tion, respectively.

Hearing: Monday, April
11, 2005 at 11:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue, Towson 21204.

WILLIAM WISEMAN
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zon-
ing Review Office at (410)
887-3391

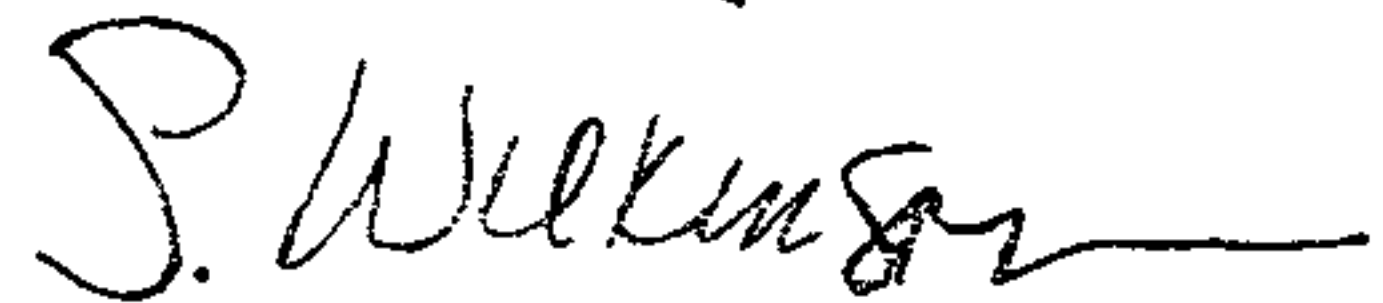
3/319 Mar. 24 43807

CERTIFICATE OF PUBLICATION

3/24/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 3/24/, 2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. : 05-422-A

Petitioner/Developer: MACK?

BARBARA RANDOLPH

Date of Hearing/Closing: 4/11/05

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

Attention:

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
at 3317 LAUREL ROAD

This sign(s) were posted on March 26, 2005
(Month, Day Year)

Sincerely,

(Signature of Sign Poster and Date) Martin Ogle 3/26/05

Martin Ogle

Sign Poster

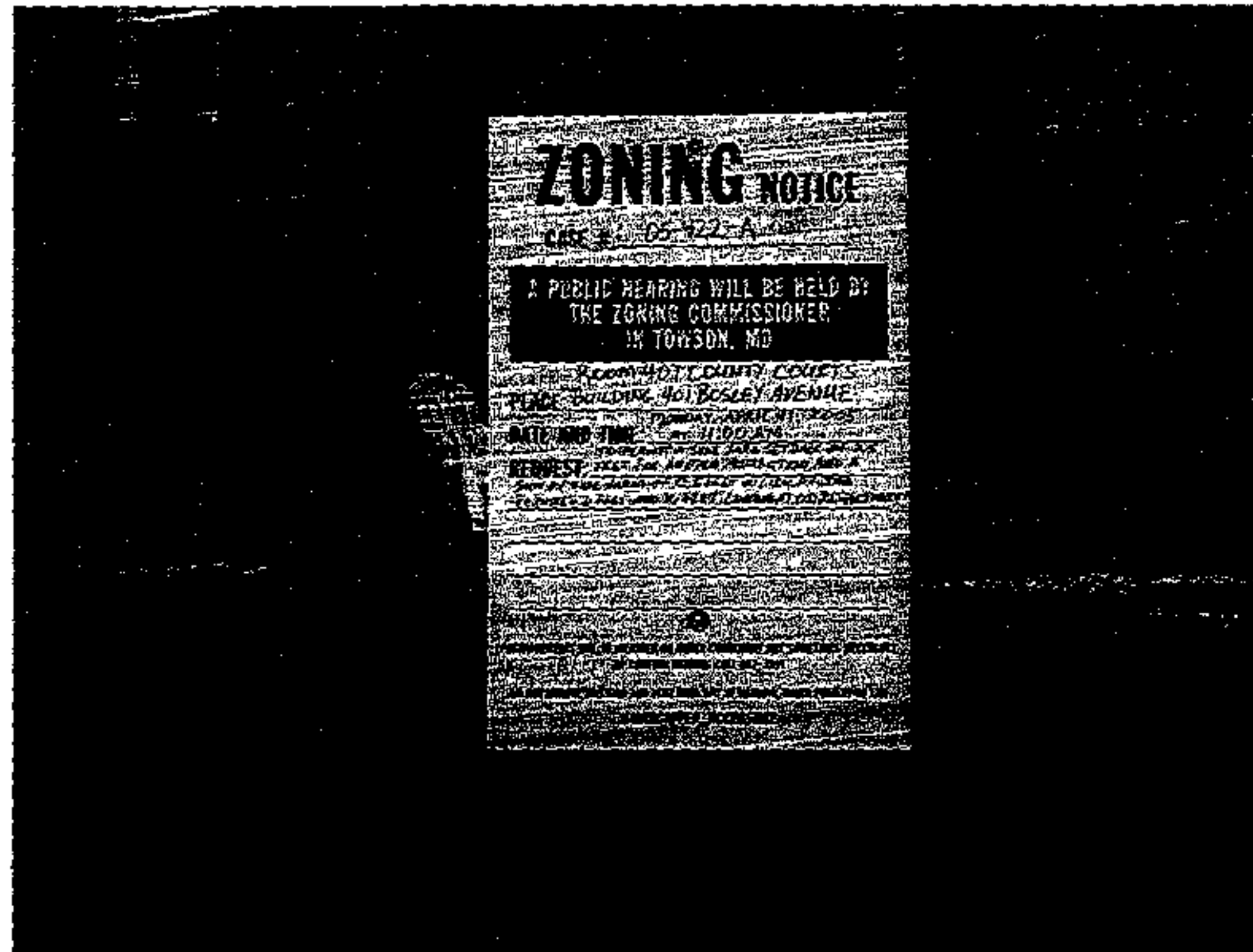
5016 Castlestone Drive

Address

Balto. Md 21237

(443-629-3411)

im000234 (1152x864x256 jpeg)



Meeting 3/24/05



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

March 7, 2005

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: 05-422-A

3317 Lauri Road

S/side of Lauri Road, 520 feet s/east centerline of Stevenswood Road

2nd Election District – 4th Councilmanic District

Legal Owners: Mack & Barbara Randolph

Variance to permit a side yard setback of 2.5 feet for an open projection and a sum of side yards of 12.5 feet in lieu of the required 6 feet and 16 feet combination, respectively.

Hearing: Monday, April 11, 2005 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mack & Barbara Randolph, 3317 Lauri Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 26, 2005.**
- (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
Thursday, March 24, 2005 Issue - Jeffersonian

Please forward billing to:
Mack Randolph
3317 Lauri Road
Baltimore, MD 21

410-521-5436

NOTICE OF ZONING HEARING

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CASE NUMBER: 05-422-A

3317 Lauri Road

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2nd Election District – 4th Councilmanic District

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Hearing: Monday, April 11, 2005 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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 Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: 05-422-A

- Petitioner: MACK RANDOLPH
- Address or Location: 3317 LAURI ROAD BALTO. CO. MARYLAND 21244

PLEASE FORWARD ADVERTISING BILL TO:

- Name: MACK RANDOLPH
- Address: 3317 LAURI RD.
BALTO. CO. MARYLAND 21244
- Telephone Number: 410-521-5436

**Department of Permits and
Development Management**

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



Baltimore County

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

April 5, 2005

Mack Randolph
Barbara Randolph
3317 Lauri Road
Baltimore, Maryland 21244

Dear Mr. and Mrs. Randolph:

RE: Case Number: 05-422-A, 3317 Lauri Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 23, 2005.

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.", is written over a horizontal line.

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 9, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: March 14, 2005

Item No.: 418, 419, 420, 422, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433.

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.

Acting Lieutenant Don W. Muddiman
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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: 3.8.05

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

RE: Baltimore County
Item No. 422 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 Grädlein at 410-545-5606 or by E-mail at (lgradlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, 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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr *JO*
DATE: April 13, 2005
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 7, 2005

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

05-416
05-417
05-418
05-420
05-421
05-422
05-424
05-425
05-426
05-428
05-431
05-432
05-433

Reviewers: Sue Farinetti, Dave Lykens

pm
4/1/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 22, 2005

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-422

RECEIVED

MAR 23 2005

ZONING COMMISSIONER

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.

Prepared By:

Mark A. Cunningham

Division Chief:

John J. [Signature]

MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 23, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For March 14, 2005
Item Nos. 417, 418, 420, 421, 422, 425,
426, 427, 428, 429, 430, 431,
432, 433

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

RWB:CEN:cp

cc. File

RE: PETITION FOR VARIANCE * BEFORE THE
3317 Lauri Road; S/side Lauri Road, *
520' SE c/line Stevenswood Road * ZONING COMMISSIONER
2nd Election & 4th Councilmanic Districts *
Legal Owner(s): Mack & Barbara Randolph * FOR
Petitioner(s) * BALTIMORE COUNTY
* 05-422-A

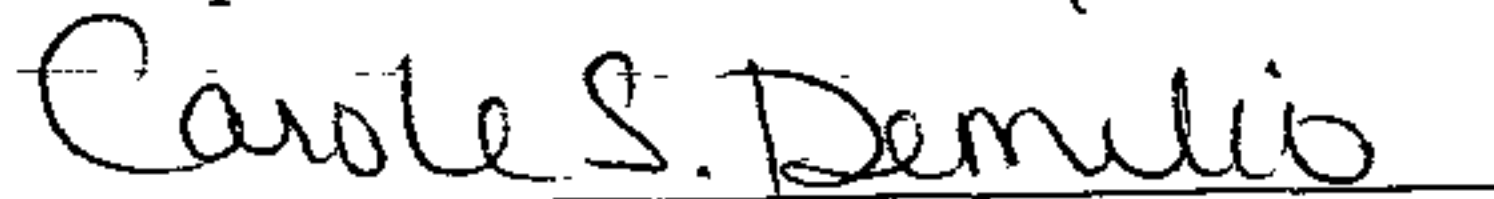
* * * * *

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 and all documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

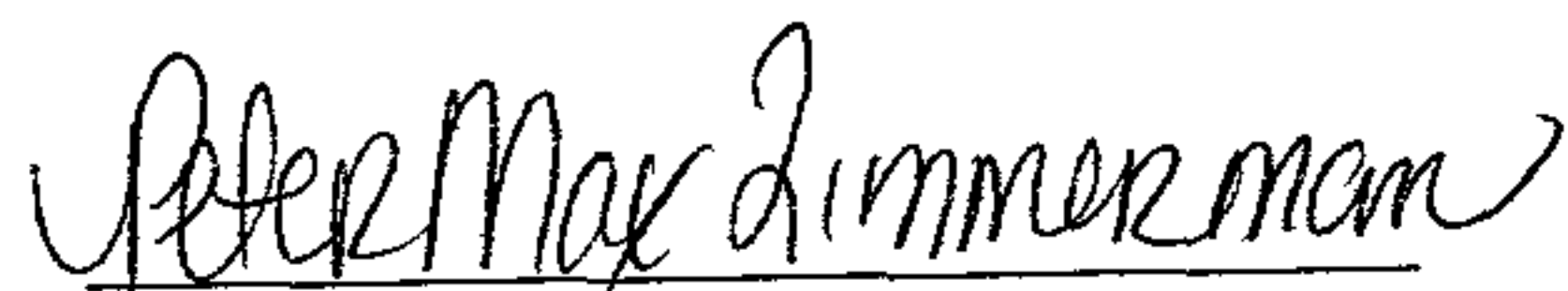


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of March, 2005, a copy of the foregoing Entry of Appearance was mailed to, Mack & Barbara Randolph, 3371 Lauri Road, Baltimore, MD 21244, Petitioner(s).

RECEIVED



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per.....

G 5-422-A.

company did some damage to her property in the past. Consequently, she requested and the Petitioner agreed to hire a property line surveyor to stake the actual line between the two properties. In addition, she wanted to be sure the exterior of the carport matched the Petitioner's home in style and material.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure. The lot is only 67 feet wide with 16 feet on one side of the home to the property line and 10 feet to the other property line on the other side. There is no place to build the carport on the 10-foot side and still maintain 6 feet to the property line. The carport has to be a little wider than the usual 12 feet because of the doors and entrances on the west side. There is no room in the back yard. Consequently, I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. This is the only reasonable place to put the carport.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in a manner as to grant relief without injury to the public health, safety and general welfare. There are 11 similar carports on the side of homes in the immediate area. This addition will not change the character of the community. However, I agree with Ms. Parker that the property line needs to be staked and that the materials be compatible with the Petitioners' home. I will add these as conditions for approval.

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 Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 12 day of April, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.B (1960) and 301.1A

of the Baltimore County Zoning Regulations (BCZR), to permit a side yard setback of 2.5⁴ ft. for

Corrections made
as the handwriting
was illegible
at time of
typing


1/27/05

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: March 11, 2005

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 422
Legal Owner/Petitioner: Randolph, Mack & Barbara
Contract Purchaser: N/A
Property Address: 3317 Lauri Rd.
Location Description: S/side Lauri Rd. 520' SE Stevenswood Rd.

VIIOLATION INFORMATION: Case No. 05-0215
Defendants: Randolph, Mack & Barbara

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:

NAME	ADDRESS
------	---------

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:

- | | | |
|--------------------------|-----|---|
| ☐ | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| X | 3. | State Tax Assessment printout |
| ☐ | 4. | State Tax Parcel Map (if applicable) |
| ☐ | 5. | MVA Registration printout (if applicable) |
| ☐ | 6. | Deed (if applicable) |
| ☐ | 7. | Lease-Residential or Commercial (if applicable) |
| ☐ | 8. | Photographs including dates taken |
| X | 9. | Correction Notice/Code Violation Notice |
| ☐ | 10. | Citation and Proof of Service (if applicable) |
| ☐ | 11. | Certified Mail Receipt (if applicable) |
| ☐ | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| ☐ | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| ☐ | 14. | Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

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

RSW/ph
C: Code Enforcement Officer



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 05-0215	Property No. 0207582110	Zoning:
Name(s): Randolph Mack		
Address: 3317 Lann. Rd		
Violation Location: Same		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

IRC SEC 105 Carport and Deck
constructed without building permits,
obtain permits

Stop Work
\$1500.00 Fine

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 1/24/05	Date Issued: 1/11/05
--------------------------	-------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Paul Hohna

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: 1/24/05	Date Issued: 1/11/05
----------------------------	-------------------------

INSPECTOR:

entered KTH

DE ENFORCEMENT REPC

172

DATE: 1/10/05 INTAKE BY: CJP CASE #: 05-0215-3241 INSPEC:

COMPLAINT LOCATION: 3317 Lauri Rd

ZIP CODE: 21244 DIST: 02

COMPLAINANT NAME: Anonymous PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: Built carport and deck without permits

IS THIS A RENTAL UNIT? YES NO
IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION: 1/11/05 - found carport under construction and deck built w/o permit issued in and \$500 fine Recheck 1/25/05

REINSPECTION: 1/26/05

REINSPECTION: NA

REINSPECTION: GB

01/11/2005

STANDARD ASSESSMENT INQUIRY (1)

07:38:04

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
02 07 582110	02	1-0	04-00	H	NO		01/06/05
RANDOLPH MACK				DESC-1.. IMPS			
				DESC-2 . STEVENSWOOD			
3317 LAURI RD				PREMISE. 03317 LAURI		MD	

00000-0000

BALTIMORE

MD 21244-0000 FORMER OWNER: CUTLER SUZANNE AMERLING

FCV			PHASED IN			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND	32,170	44,170		FCV	ASSESS	ASSESS
IMPV	86,850	103,380	TOTAL..	138,040	138,040	128,530
TOTL	119,020	147,550	PREF...	0	0	0
PREF	0	0	CURT...	138,040	138,040	128,530
CURT	119,020	147,550	EXEMPT.		0	0
DATE	07/00	08/03				

TAXABLE BASIS		FM DATE
ASSESS:	138,040	08/10/04
ASSESS:	128,530	
ASSESS:	0	

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

DATE 4/11/85

PETITIONER'S SIGN-IN SHEET

[illegible]

DATE April 11, 2005

Edna N. Parker Q 666 Com





subject site

2a



Subject s11-7

2-6

1
r 1 2



Subject site

2-6



Subject site
2-c)

1-1-1-1-1-1



subject site

2.0



Subject site

z f



Subject Site

7-9

1 1 2 i



Subject site

2-h

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 3317 LAURI ROAD

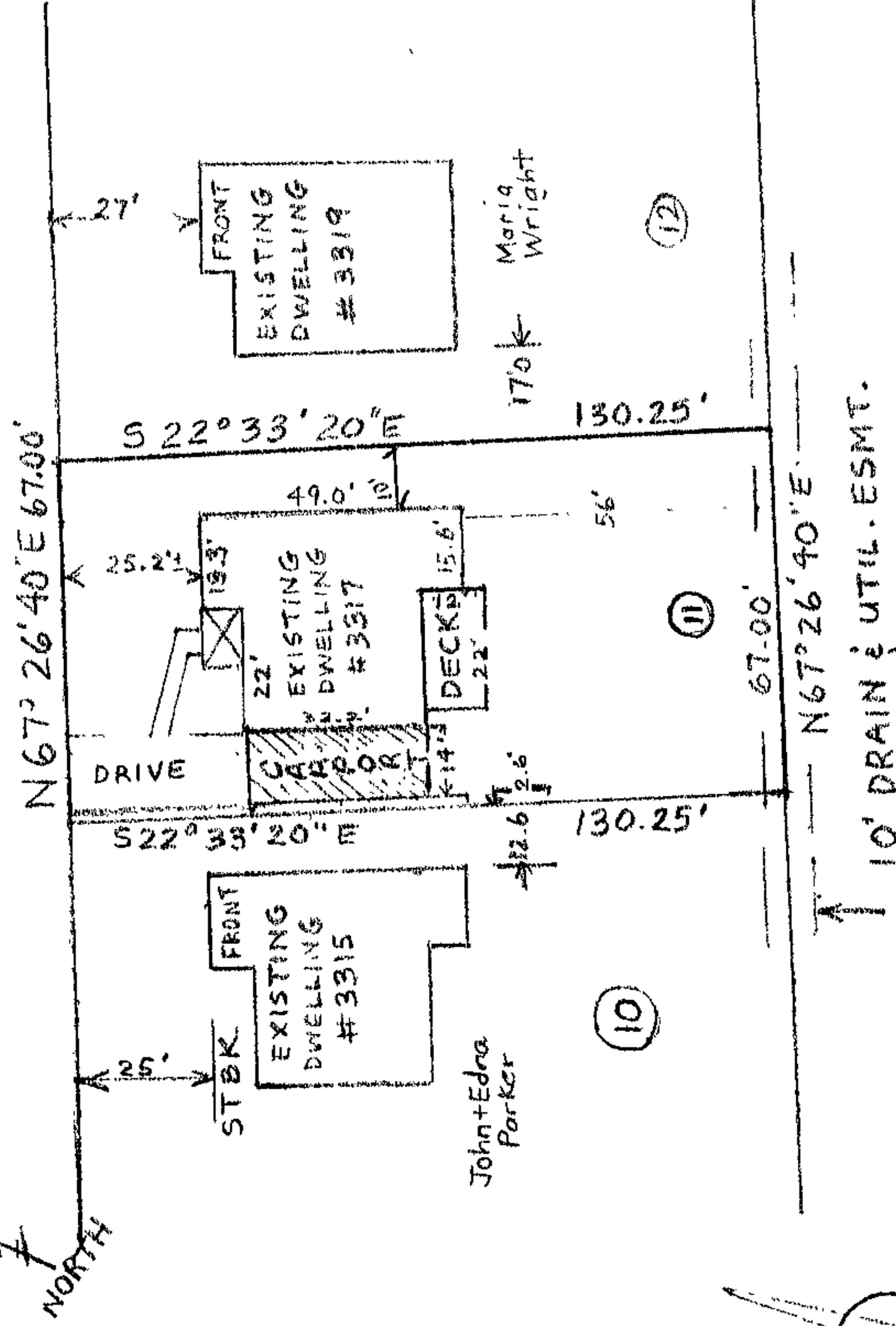
SUBDIVISION NAME STEVENSWOOD

PLAT BOOK # 27 FOLIO # 28 LOT # 8 SECTION # D

OWNER MACK & BARBARA RANDOLPH

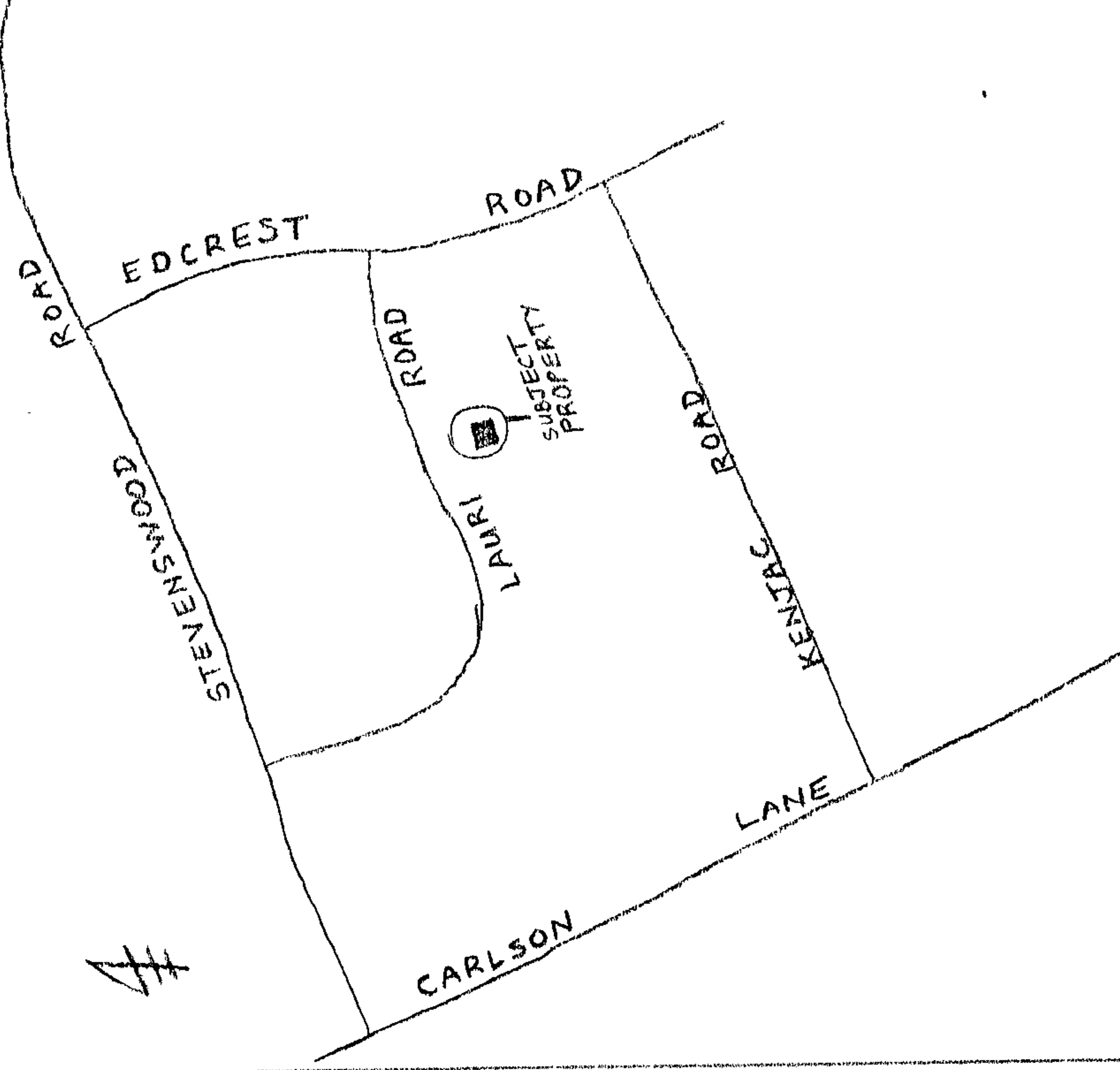
50' RAW

LAURI ROAD



PREPARED BY MACK RANDOLPH SCALE OF DRAWING: 1" = 40'

LOCATION INFORMATION			
ELECTION DISTRICT	2		
COUNCILMANIC DISTRICT	4th		
1" = 200' SCALE MAP #	NW 64		
ZONING	DR 5.5		
LOT SIZE	0.19	87/0	
ACREAGE		SQUARE FEET	
SEWER	☒ PUBLIC	☐ PRIVATE	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	☐	YES ☐	NO ☒
100 YEAR FLOOD PLAIN	☐	☐	☒
HISTORIC PROPERTY / BUILDING	☐	☐	☒
PRIOR ZONING HEARING	☐	☐	☒
ZONING OFFICE USE ONLY			
REVIEWED BY	ITEM #	CASE #	
<u>GR</u>	<u>422</u>	<u>05-422-A</u>	



VICINITY MAP

SCALE: 1" = 200'

1#270

Maria E. Wright
3319 Lauri Road
Windsor Mill, Md
21244

To whom it may concern:

I am writing in behalf of my neighbor (3317 Lauri Road) who has made several improvements to his property. I have no objections to carports/decks, etc.

Mr. Randolph is a good neighbor and has improved the value of his home by these additions.

Sincerely,

A handwritten signature in cursive script that reads "Maria E. Wright". The signature is written in dark ink and is positioned above the printed name.

Maria E. Wright

3A

3308 Lauri Road
Windsor Mill, Md
21244

To whom it may concern:

I am writing in behalf of my neighbor (3317 Lauri Road) who has made several improvements to his property. I have no objections to carports/decks, etc.

Mr. Randolph is a good neighbor and has improved the value of his home by these additions.

Sincerely,

John Randolph

3B

3306 Lauri Road
Windsor Mill, Md
21244

To whom it may concern:

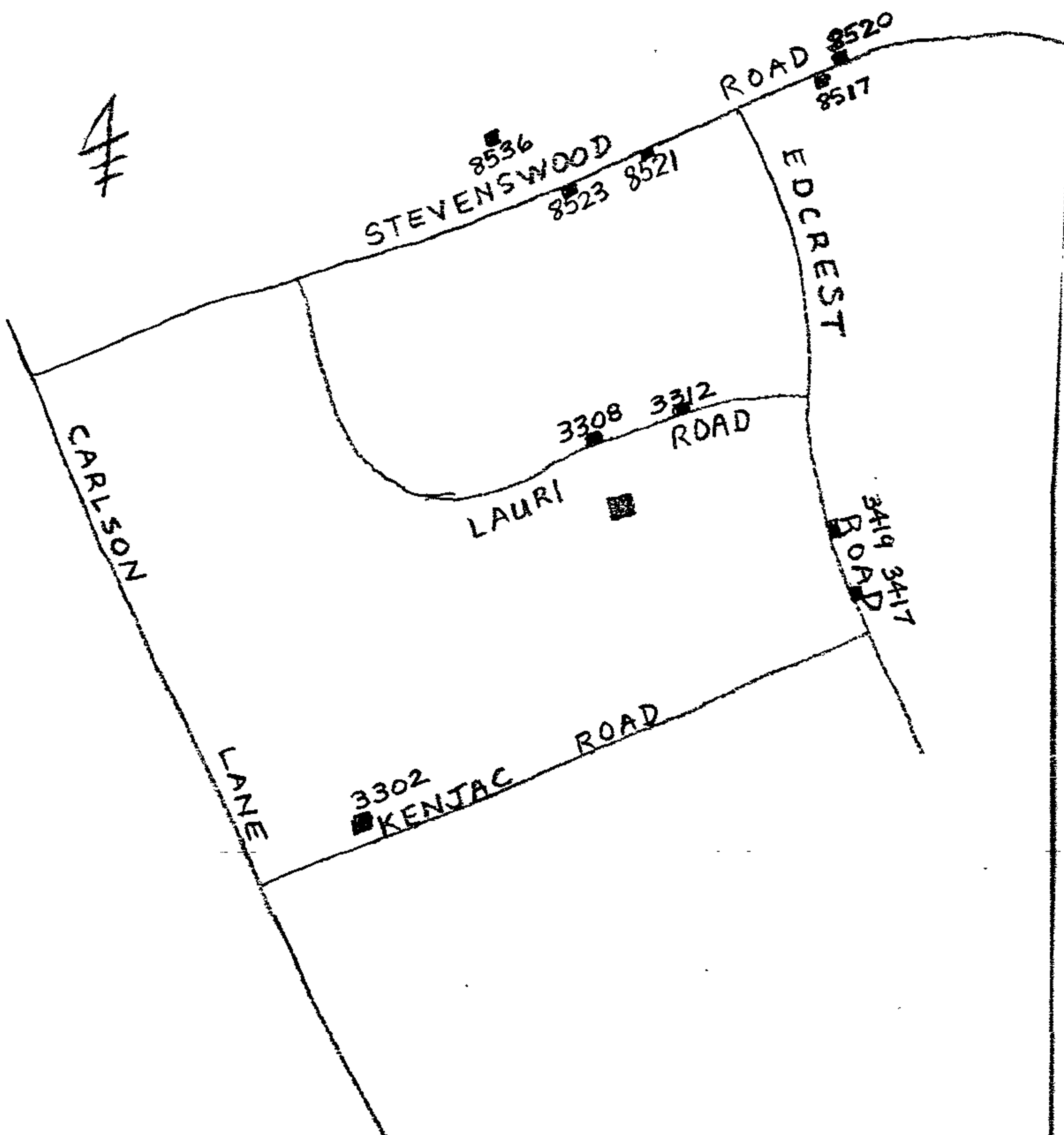
I am writing in behalf of my neighbor (3317 Lauri Road) who has made several improvements to his property. I have no objections to carports/decks, etc.

Mr. Randolph is a good neighbor and has improved the value of his home by these additions.

Sincerely,

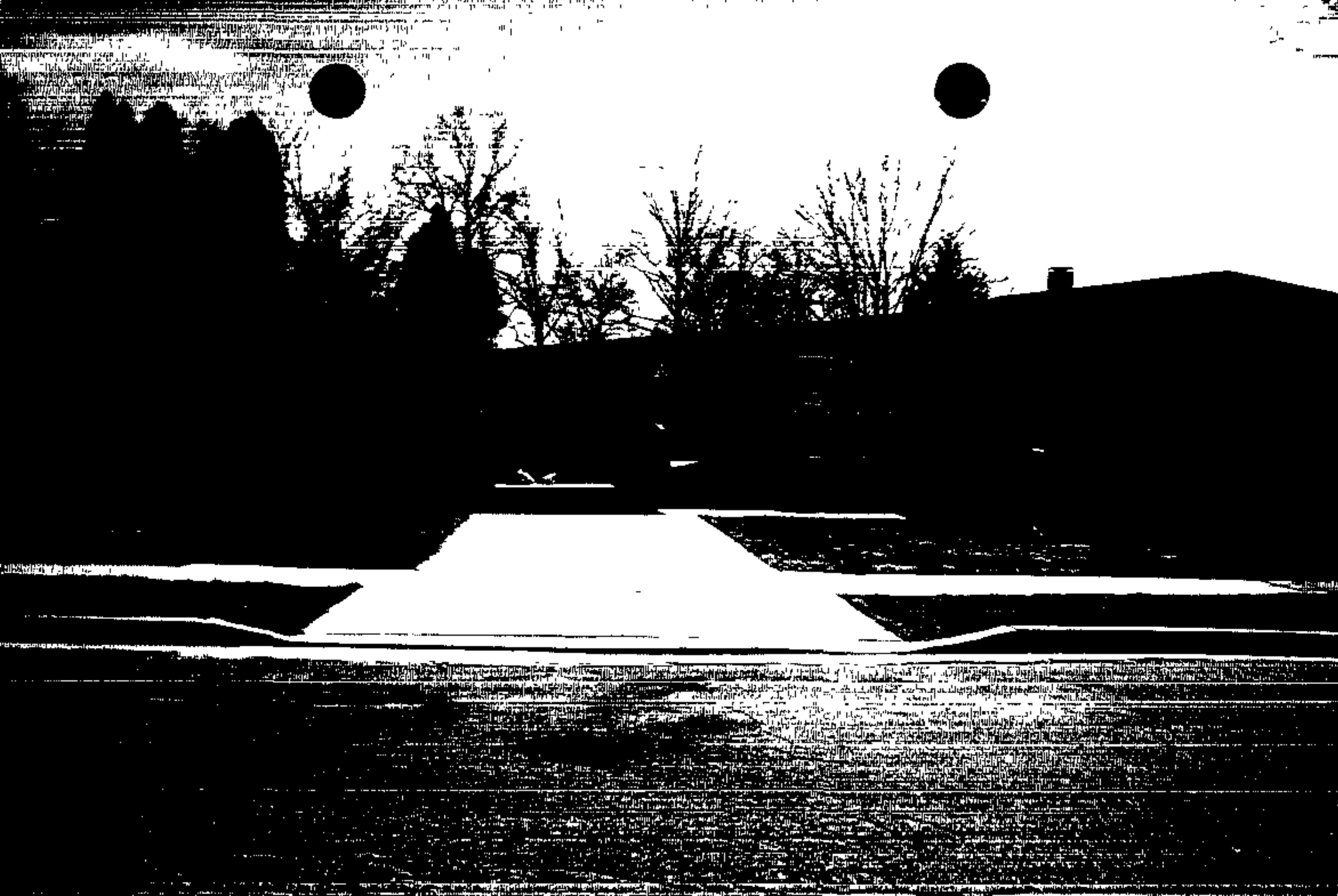
Raymond Hager

3C



VICINITY MAP
SCALE : 1" = 200'

Ref # 4



8517

Stevenswood

5
a



8520

Stevenswood

5-5



8521

Stevenswood

5-6



8523

Stevenswood

9-7



8536

Stevenswood

5.6



8536

Stevenswood

S.E



8536

Stevenswood

5-E



3302 Kenjac Rd

5-5



3417 Edcrest

60



3419 Edcrest

~~Stevenswood~~

5-6



3312
Lauri Rd

51
2
4



3308
Lauri Rd

1-6-2

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 3317 LAURI ROAD
Address
BALTIMORE MD 21244
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

I desired to construct the carport because inclement weather (such as annual snow events) makes it an extreme necessity. We have three automobiles, that being stated; and when your neighbors next door possess four, directly in front across the street they possess three vehicles, next to them are another three cars. Our properties are cramped side-by-side. Building the carport on the left side over the driveway is the only logical area to place it; our three doors are on that side. This carport is not detrimental to this neighborhood, noting the numerous neighbors have built carports themselves.

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.

Mack Randolph
Signature

MACK RANDOLPH
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of February, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Richard K. Dunn
Notary Public

RICHARD K. DUNN
My Commission Expires NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 15, 2008



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3317 LAURI ROAD

which is presently zoned _____

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)

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):

MACK RANDOLPH

Name - Type or Print _____

Signature Mack Randolph

Name - Type or Print _____

Signature _____

3317 LAURI ROAD

Address _____

410-521-5436

Telephone No _____

BALTIMORE

City _____

MD

State _____

21244

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

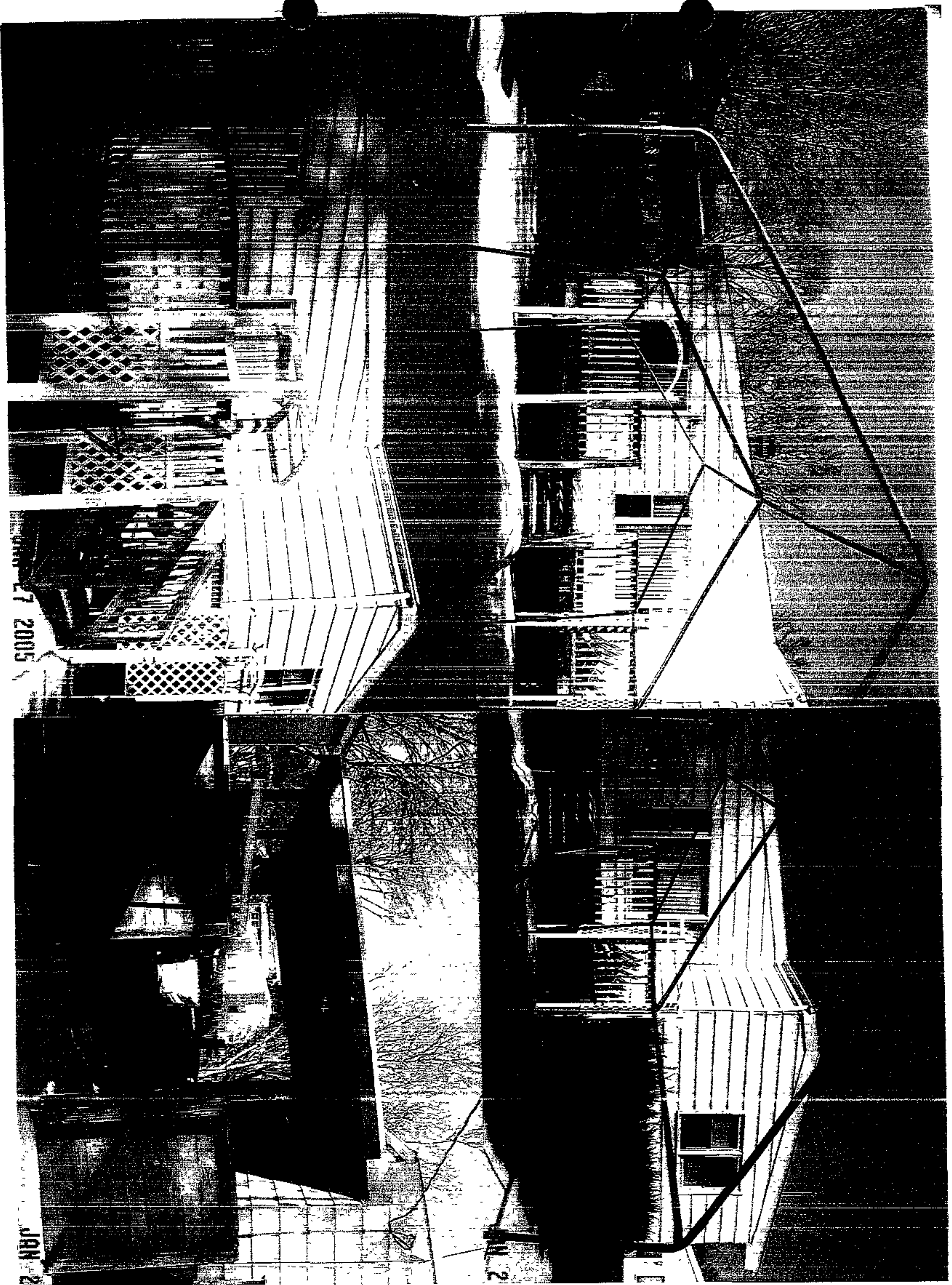
Zoning Commissioner of Baltimore County

CASE NO. _____

Reviewed By _____ Date _____

REV 10/25/01

Estimated Posting Date _____



Det #7

