IN RE: PETITION FOR ADMIN. VARIANCE E/S Jerome Jay Drive, 1,233 ft. NW centerline of Laurelford Court 8th Election District 3rd Councilmanic District **(13015 & 13017 Jerome Jay Drive)** Carmen A. & Alicia K. DelGuercio *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-520-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, Carmen A. and Alicia K. DelGuercio. The administrative variance is requested for property located at 13015 & 13017 Jerome Jay Drive in the Cockeysville area of Baltimore County. The administrative variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory building (pool house) to have a building height of 30 ft. in lieu of the maximum allowed 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

In addition the Petitioners clarified in their May 26, 2005 letter that they are requesting a bathroom and laundry facilities in the pool house.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 22, 2005, 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: A ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated May 24, 2005, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
Date 6/8/05
By

Applicable Law

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

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 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, I find that the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, this 8 day of June, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory building (pool house) to

6/8/05

have a building height of 30 ft. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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;

2. The Petitioners shall not allow the pool house to be used as a separate dwelling unit or apartment; the pool house shall not contain kitchen facilities or sleeping quarters, nor be leased or occupied as living space nor be converted for commercial purposes; however the pool house may contain laundry and bathroom facilities;

3. The Petitioners shall comply with the ZAC comments submitted by DEPRM dated May 24, 2005, a copy of which is attached hereto and made a part hereof;

4. When applying for a building permit, the site plan field must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED, that the pool house may contain bathroom and laundry facilities as requested in the Petitioners' letter dated May 26, 2005.

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

6/8/05

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

June 8, 2005

Mr. & Mrs. Carmen Del Guercio
13015 Jerome Jay Drive
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 05-520-A
Property: 13015 & 13017 Jerome Jay Drive

Dear Mr. & Mrs. Gel Guercio:

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

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Michael Alexander
Gerhold, Cross & Etzel, Ltd.
320 E. Towsontown Blvd., Suite 100
Towson, MD 21286

Printed on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13015 & 13017 Jerome Jay Drive
which is presently zoned R.C. 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 letter)

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):

Carmen A Del Guercio
Name - Type or Print

Signature

Alicia K. Del Guercio
Name - Type or Print

Signature

13015 Jerome Jay Drive — (410)-771-1881
Address — Telephone No.

Cockeysville — MD. — 21030
City — State — Zip Code

Representative to be Contacted:

Gerhold, Cross, & Etzel, Ltd. — Mike Alexander
Name

320 E. Towsontown Boulevard — (410)-823-1470
Address — Telephone No

Towson — Maryland — 21286
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. 05-520 A

REV 10/25/01

Reviewed By _____ **Date** 4-11-05

Estimated Posting Date 4-24-05

5/9

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 13015 Jerome Jay Drive
Address

Cockeysville MD. 21030
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):

(see attached letter)

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.

Signature

Alicia Delguercio
Name - Type or Print

Signature

Carmen Del Guercio
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Alicia Kunisch Del Guercio / Carmen Delguercio the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

My Commission Expires September 22 2008

Daniel Mazur

Notary Public

Commission Ex September 22 2008

Notary Public

P. JASON PEAK NOTARY PUBLIC HARFORD CO., MD

P. JASON PEAK
Notary Public, State of Maryland
County of Harford
My Commission Expires February 14, 2009

My Commission Expires Feb. 14, 2009

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 13015 Jerome Jay Drive
Address

Cockeysville MD. 21030
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):

(see attached letter)

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.

Signature

ALICIA K. DELGUERCIO
Name - Type or Print

Signature

Carmen Del Guercio
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Alicia Kunisch Del Guercio / Carmen A Delguercio the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

My Commission Expires September 22, 2008

Notary Public / Daniel Mazur
Commission Ex Sep 22, 08

Notary Public

P. JASON PEAK
Notary Public, State of Maryland
County of Harford
My Commission Expires February 14, 2009

My Commission Expires Feb. 14, 2009

REV 10/25/01

P. JASON PEAK NOTARY PUBLIC HARFORD CO., MD

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13015 & 13017 Jerome Jay Drive

which is presently zoned R.C. 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 letter)

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):

Carme A. Del Guercio
Name - Type or Print

Signature

Alicia K Del Guercio
Name - Type or Print

Signature

13015 Jerome Jay Drive — (410)-771-1881
Address — Telephone No.

Cockeysville — MD. — 21030
City — State — Zip Code

Representative to be Contacted:

Gerhold, Cross, & Etzel, Ltd. — Mike Alexander
Name

320 E. Towsontown Boulevard — (410)-823-4470
Address — Telephone No

Towson — Maryland — 21286
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. 05-520 A

Reviewed By _____ **Date** 4-11-05

Estimated Posting Date 4-24-05

REV 10/25/01

April 11, 2005

Office of the Zoning Commissioner
C/O Office of Zoning Review
Room 111
111 W. Chesapeake Avenue
Towson, MD. 21204
(410)-887-3391

Subject: Letter of Attachment to Accompany Petition for Administrative Variance

Dear Sir:

We would like to petition for a Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) to have a height of thirty feet in lieu of the maximum permitted fifteen feet.

We are proposing to place the pool and pool house in a location that is convenient to our residence. The location is mostly cleared and primarily outside of the existing woods. Our difficulty in meeting the height requirement is that our property is on a hill; in order to maintain the integrity of the landscape we are proposing a terraced pool house in which the rear does not meet the height requirements. Due to this, maintaining a maximum height of fifteen feet is impractical.

Sincerely,

Mr. and Mrs. Delguercio

520

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 443652

DATE 4-11-05 ACCOUNT R-001-6150

AMOUNT $ 65.00

RECEIVED FROM: Neil Gaul Properties

FOR: Reconsidered Variance Hearing Fee
Zc 13615 Jacksonville Tax Sale

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRAWER
4/11/2005	4/11/2005	14:18:17	4

FOR 05015 HOLKIN KRYM KYM
RECEIPT # 251042 4/11/2005 CFLU
Acct 3 ZONING VERIFICATION
JOB NO. 443652
Receipt Tot $65.00
$65.00 CH $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE#05-520-A
PETITIONER/DEVELOPER:
Carmen A. Delquercio
DATE OF CLOING: 5/09/05

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

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

LOCATION:
13015 Jerome Jay Drive

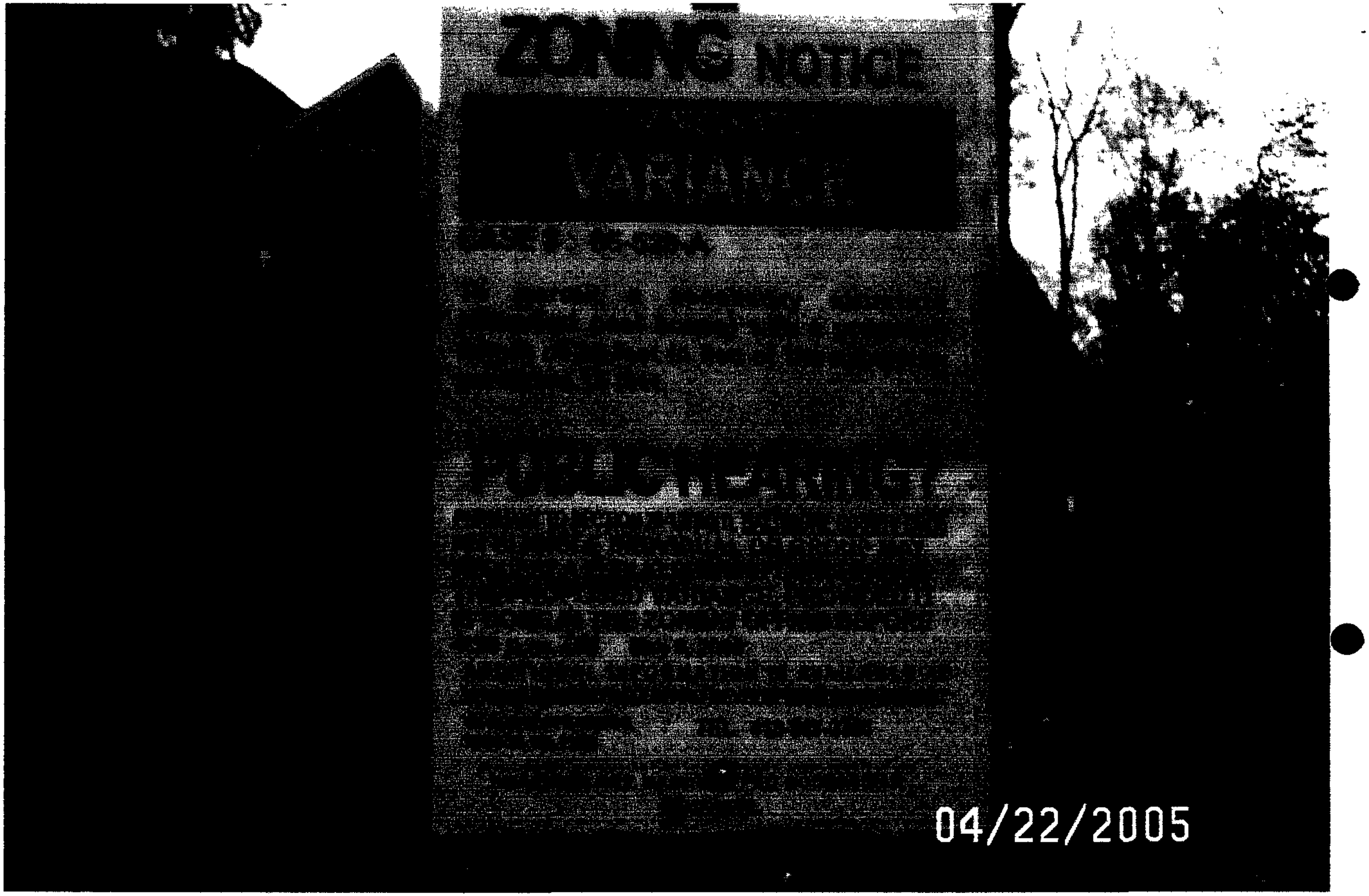
(see page 2 for full size print)

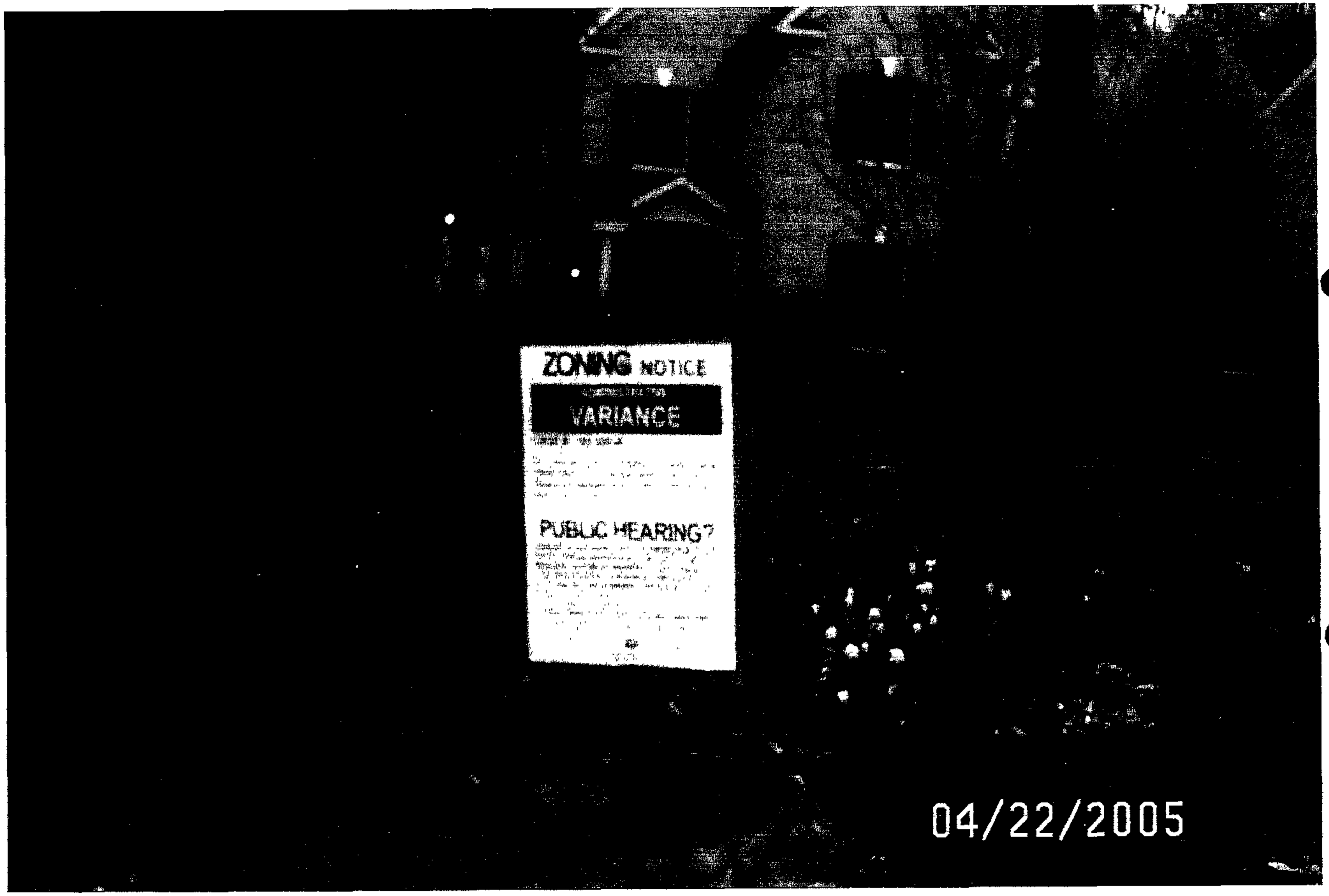
POSTED ON:4/22/05

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX


ZONING NOTICE
VARIANCE
04/22/2005


ZONING NOTICE
VARIANCE
PUBLIC HEARING?
04/22/2005

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: 05-520-A

Petitioner: Carmen A. Delguercio and Alicia K. Delguercio

Address or Location: 13015 and 13017 Jerome Jay Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Carmen A. Delguercio and Alicia K. Delguercio

Address: 13015 Jerome Jay Drive
Cockeysville, MD. 21030

Telephone Number: (410) - 771 - 1881

Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-520 -A Address 13015 Jerome Jay DR.

Contact Person: John Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4-11-05 **Posting Date:** 4-24-05 **Closing Date:** 5-09-05

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 05-520 -A Address 13015 Jerome Jay DR.

Petitioner's Name Ms. Carmen A. Delguercio Telephone 410-771-1881

Posting Date: 4-24-05 **Closing Date:** 5-09-05

Wording for Sign: To Permit an accessory structure (detached pool house) with a proposed height of 30 ft. in lieu of the maximum permitted 15 ft.

WCR - Revised 6/25/04

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

May 9, 2005

Carmen A. DelGuercio
Alicia K. DelGuercio
13015 Jerome Jay Drive
Cockeysville, Maryland 21030

Dear Ms. DelGuercio:

RE: Case Number: 05-520-A, 13015 & 13017 Jerome Jay Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 11, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel, Ltd. 320 E. Towsontown Blvd. Towson 21286

April 21, 2005

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

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 25, 2005

Item No.: 517, 518, 520, 521, 522, 523, 524, 525, 526, 527, 528

Pursuant to your request, this Office has reviewed the referenced plan(s) 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 William F. Connolly, Jr.
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 2, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 25, 2005
Item No. 520, 521, 523, 525

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

Dak:CEN:clw
cc: file
ZAC-NO COMMENTS-05022005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr JDO
DEPRM

DATE: May 24, 2005

SUBJECT: Zoning Item # 05-520
Address 13015 & 13017 Jerome Jay Drive

Zoning Advisory Committee Meeting of April 25, 2005

__X__ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

The proposed pool house must be at least 20-feet from the existing septic reserve.

Reviewer: Sue Farinetti Date: May 24, 2005

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 28, 2005

RECEIVED
APR 29 2005
ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-520, 5-523, and 5-525**
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.

Prepared By: _____

Division Chief: _____

MAC/LL

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

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 4.22.05

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

RE: Baltimore County
Item No. 520 JJS

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

RECEIVED
MAY 31 2005
ZONING COMMISSIONER

May 26, 2005

John Murphy
Office of the Zoning Commissioner
M.S. 3401
401 Bosley Avenue
Towson, MD. 21204
(410)-887-4386

Re: Case Number 05-520-A

Dear Mr. Murphy:

Per our phone conversation today I am enclosing a revised copy of the Delguercio's letter of request to include bathroom facilities. Please let me know if there is anything else you may need.

Sincerely,

Michael Alexander

RECEIVED
MAY 31 2005
ZONING COMMISSIONER

May 26, 2005

John Murphy
Office of the Zoning Commissioner
M.S. 3401
401 Bosley Avenue
Towson, MD. 21204
(410)-887-4386

Subject: Letter of Attachment to Accompany Petition for Administrative Variance **REVISED**

Dear Mr. Murphy:

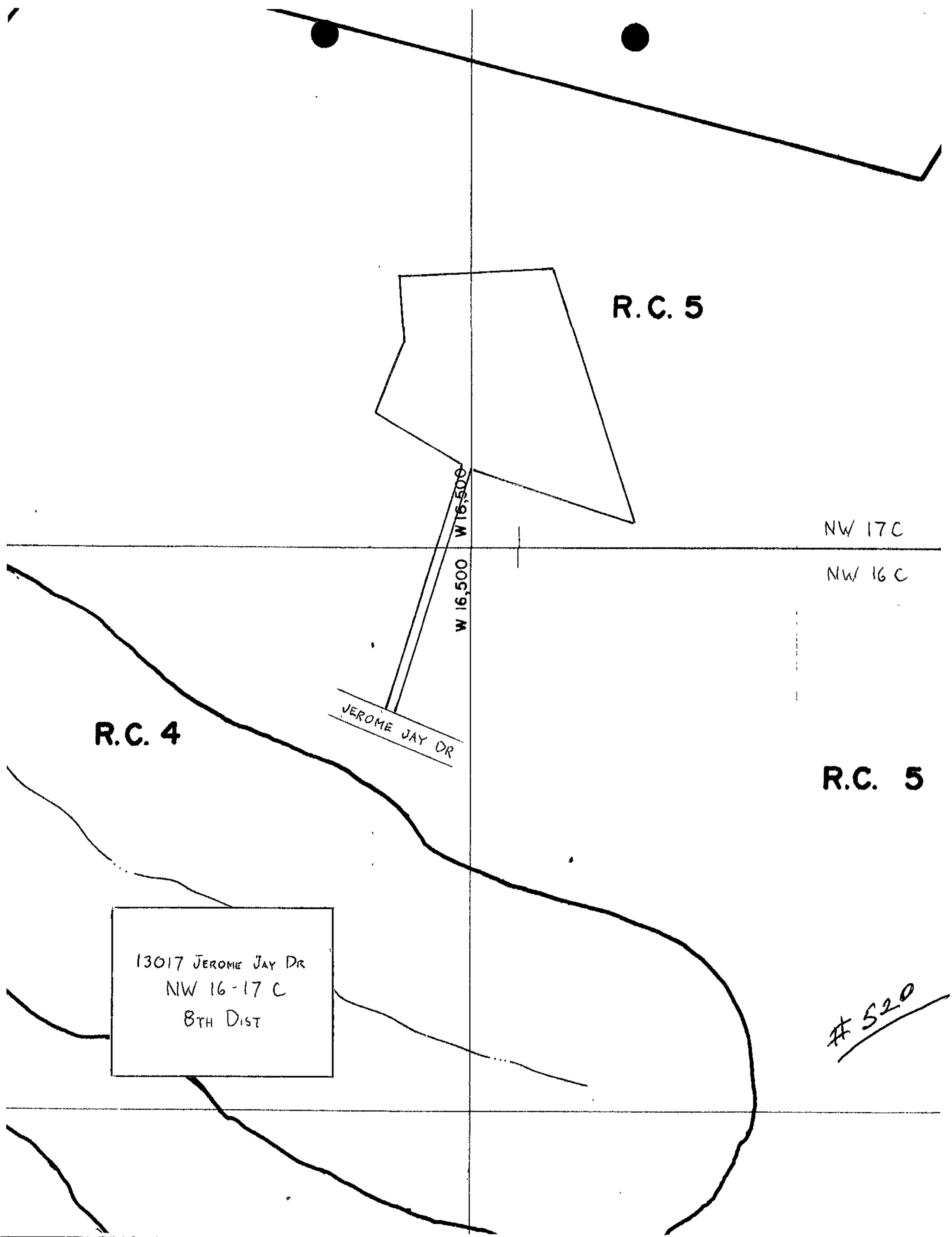
We would like to petition for a Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) to have a height of thirty feet in lieu of the maximum permitted fifteen feet.

We are proposing to place the pool and pool house in a location that is convenient to our residence. The location is mostly cleared and primarily outside of the existing woods. Our difficulty in meeting the height requirement is that our property is on a hill; in order to maintain the integrity of the landscape we are proposing a terraced pool house in which the rear does not meet the height requirements. Due to this, maintaining a maximum height of fifteen feet is impractical.

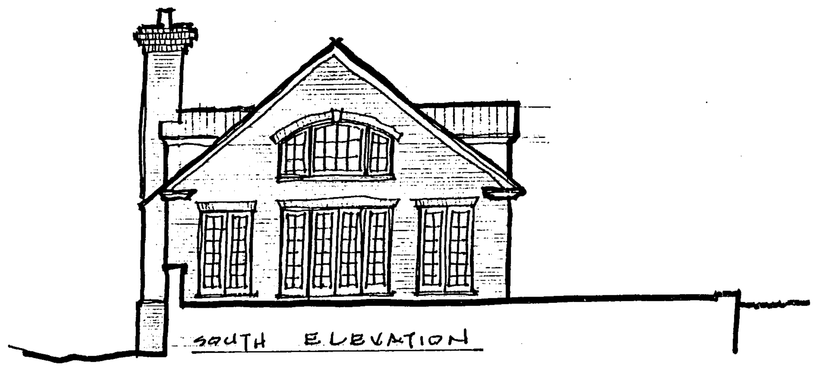
We would like to have bathroom and laundry facilities as well as a bar in the proposed pool house. We have proposed to place the pool house in a location that justifies its use as only an accessory use and not a full living quarters or dwelling as our property consists of two contiguous lots of record.

Sincerely,

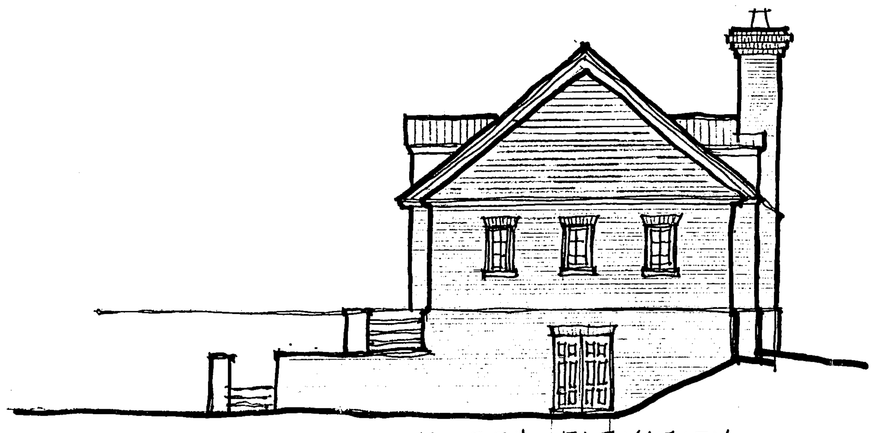
Mr. and Mrs. Delguercio


R.C. 5
W 16,500
W 16,500
NW 17C
NW 16C
JEROME JAY DR
R.C. 4
R.C. 5
13017 JEROME JAY DR
NW 16-17 C
8TH DIST
#520

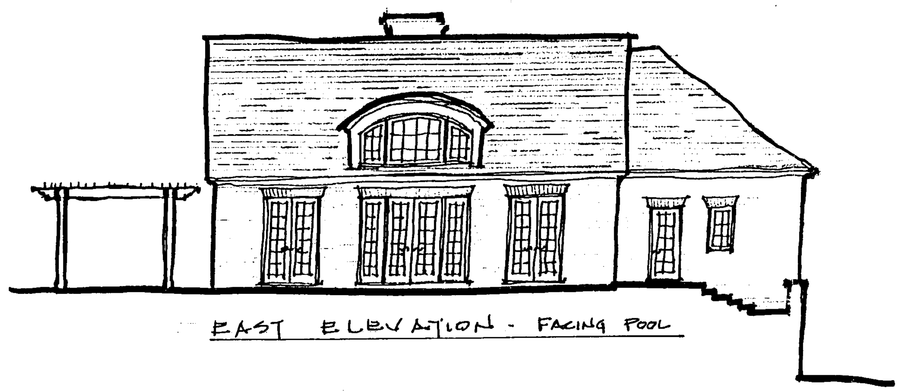
CHAMARAC
JEROME BAY
MICHAELSFORD
LAUREL FORD
Copyright (C) 2003 Baltimore County Maryland



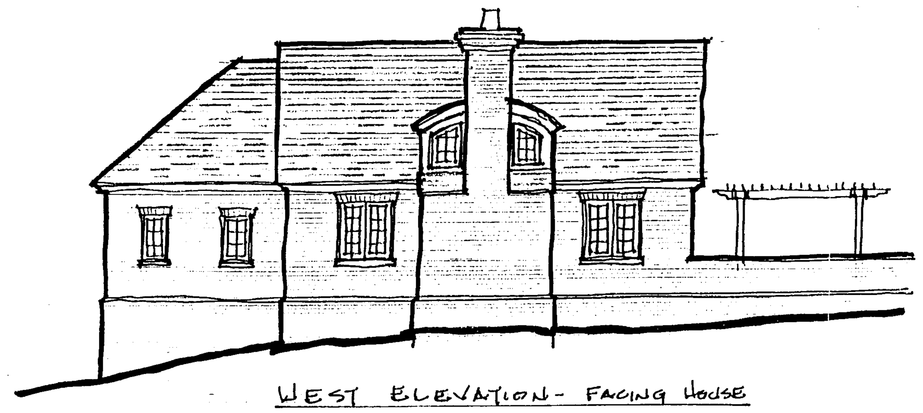
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION - FACING POOL



WEST ELEVATION - FACING HOUSE

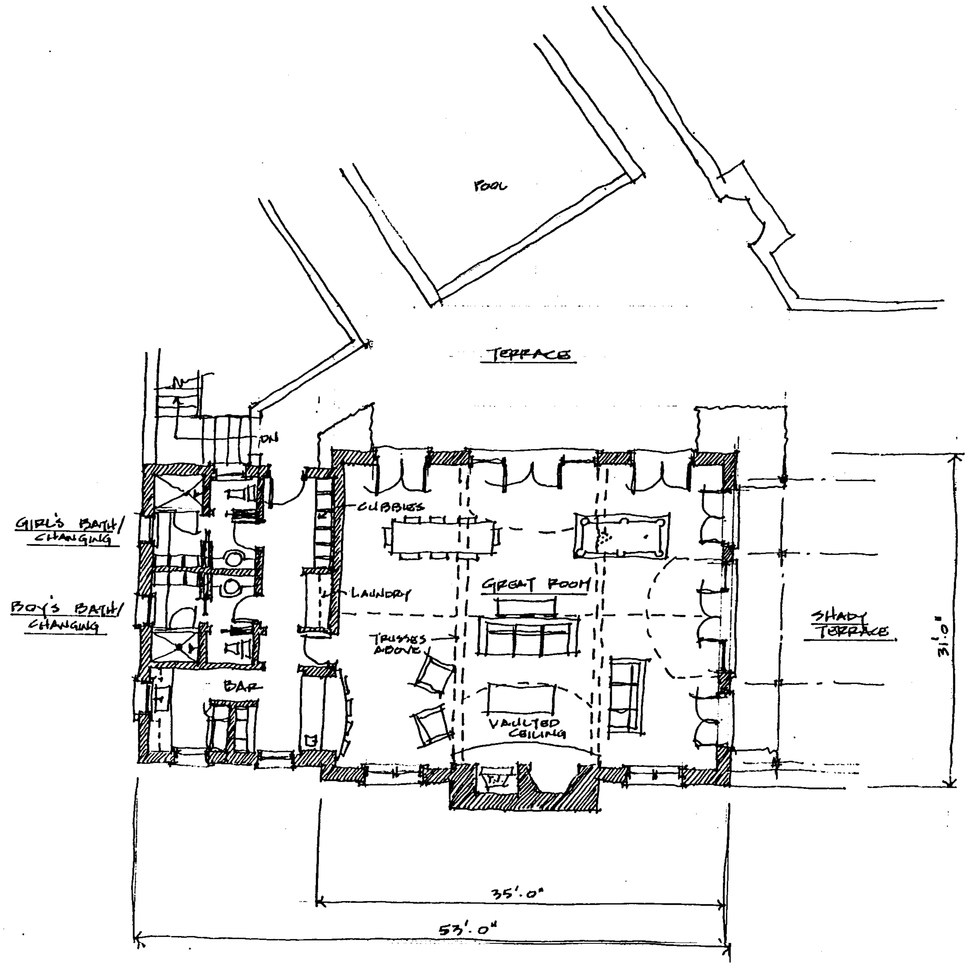
EXTERIOR ELEVATIONS

PROPOSED POOLHOUSE ADDITION FOR THE:

DELGUERCIO RESIDENCE

PENZA ASSOCIATES ARCHITECTS

SCALE 1/8" = 1'-0"
APRIL 1, 2005



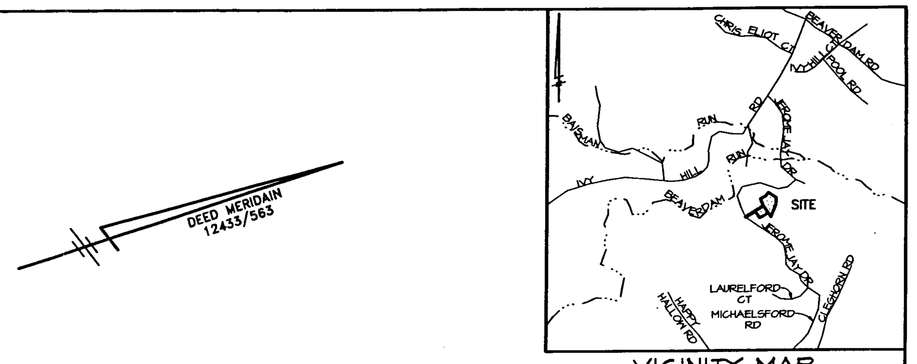
FLOOR PLAN

PROPOSED POOLHOUSE ADDITION FOR THE:

DELGUERCIO RESIDENCE

PENZA ASSOCIATES ARCHITECTS

SCALE 1/8" = 1'-0"



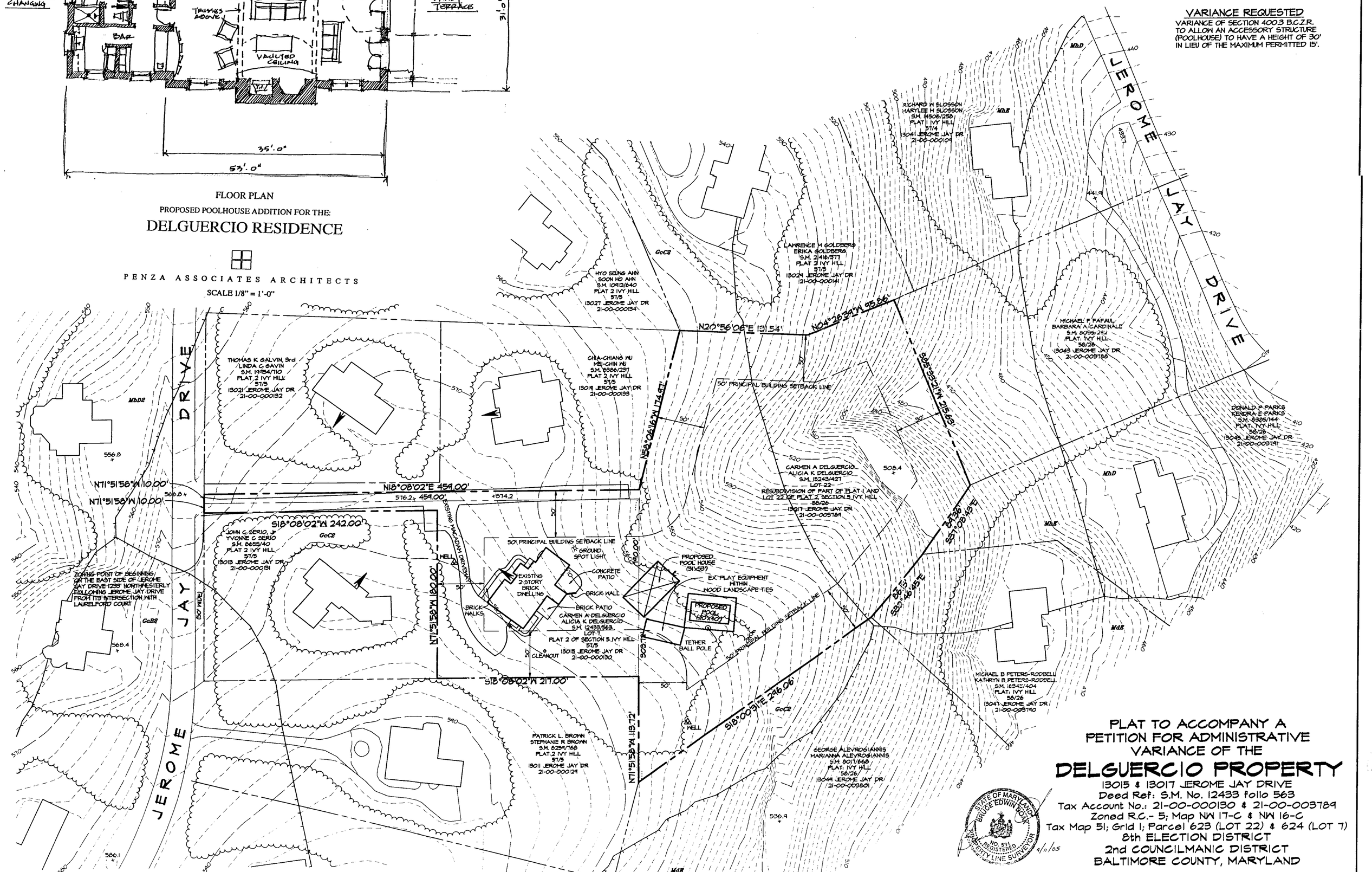
VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM DEEDS AND PLATS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY LIBER 12433, FOLIO 563.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 51-A1 AND FIELD LOCATIONS.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 22
4. CENSUS TRACT 4009.01 REGIONAL PLANNING DISTRICT 307
   WATERSHED LOCH RAVEN SUBSENERSHED 36N
   SCHOOL DISTRICT: ELEMENTARY - POT SPRING E.S., MIDDLE - COCKEYSVILLE M.S., HIGH - DULANEY H.S.
   A.D.C. MAP & GRID 18 C6
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTIES.
7. ACCESSORY BUILDINGS IN RESIDENCE ZONES, OTHER THAN FARM BUILDINGS SHALL BE LOCATED ONLY IN THE REAR YARD AND SHALL OCCUPY NOT MORE THAN 40% THEREOF. IN NO CASE SHALL THEY BE LOCATED LESS THAN 25 FEET FROM ANY SIDE OR REAR LOT LINES. (B.C.Z.R. 400.1)
8. THE SUBJECT PROPERTIES ARE NOT WITHIN A 100 YEAR FLOOD PLAIN.
9. THE SUBJECT PROPERTIES ARE SERVICED BY PRIVATE WATER AND SEPTIC.
10. THE SUBJECT PROPERTIES ARE NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.

VARIANCE REQUESTED

VARIANCE OF SECTION 400.3 B.C.Z.R. TO ALLOW AN ACCESSORY STRUCTURE (POOLHOUSE) TO HAVE A HEIGHT OF 30' IN LIEU OF THE MAXIMUM PERMITTED 15'.



LEGEND

- EXISTING BUILDING
- SOIL LINE
- WOODS LINE
- EXISTING PAVING
- PROPERTY LINE
- CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
GcB2	Slight	Slight	Moderate: slope
GcC2	Moderate: slope	Moderate: slope	Severe: slope
MnD MnE, MdE	Severe: slope	Severe: slope	Severe: slope

OWNER
CARMEN A. DELGUERCIO
ALICIA K DELGUERCIO
13015 JEROME JAY DR.
COCKEYSVILLE, MARYLAND 21030
(410) 771-1881

STATE OF MARYLAND BRUCE EDWIN BOSK NO. 511 REGISTERED PROPERTY LINE SURVEYOR 4/6/05

PLAT TO ACCOMPANY A PETITION FOR ADMINISTRATIVE VARIANCE OF THE

DELGUERCIO PROPERTY

13015 & 13017 JEROME JAY DRIVE
Deed Ref: S.M. No. 12433 folio 563
Tax Account No.: 21-00-000130 & 21-00-003789
Zoned R.C.- 5; Map NW 17-C & NW 16-C
Tax Map 51; Grid 1; Parcel 623 (LOT 22) & 624 (LOT 7)
8th ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=50' Date: APRIL 11, 2005

REVISION	DATE

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

COMPUTED: DRAWN: K.D.B. CHECKED: M.E.A. FILE:X:\Delguercio\ZONING.pro