IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Sussex Road, 1,975 ft. E
centerline of Mitten Lane
9th Election District
5th Councilmanic District

(631 Sussex Road)

Megan M. & Timothy D. Norris

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 05-637-A

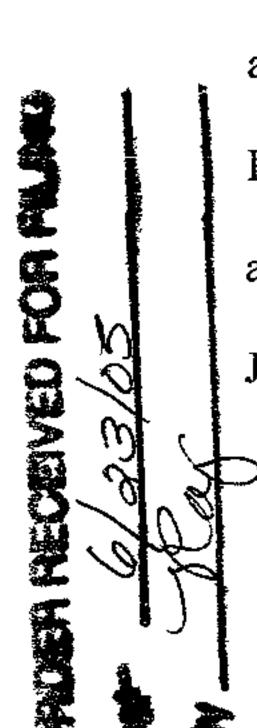
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Megan M. and Timothy D. Norris. The administrative variance is requested for property located at 631 Sussex Road in the Towson area of Baltimore County. The administrative variance request is from Section 1B02.3.C.1 (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 8 ft. in lieu of the required 10 ft. to replace an existing screened porch with an enclosed addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 4, 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 Office of Planning dated June 16, 2005, a copy of which is attached hereto and made a part hereof. In addition, a ZAC comment was received from the Bureau of Development Plans Review dated June 10, 2005, a copy of which is attached hereto and made a part hereof.



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 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 23 day of June, 2005, by this Zoning Commissioner, that the Petitioners' request for administrative variance from Section 1B02.3.C.1 (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 8 ft. in lieu of the required 10 ft. to replace an existing screened porch with an enclosed addition,

be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

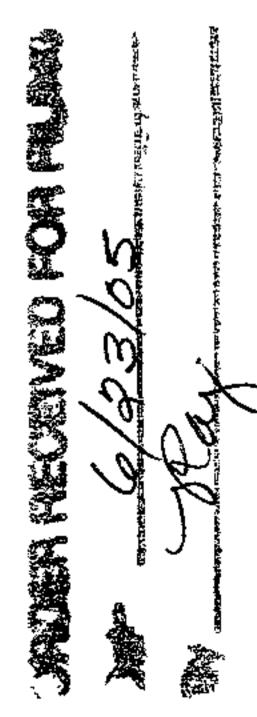
- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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 comply with the ZAC comments submitted by the Office of Planning dated June 16, 2005, a copy of which is attached hereto and made a part hereof;
- 3. The Petitioners shall comply with the ZAC comments submitted by the Bureau of Development Plans Review dated June 10, 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.

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

WILLIAM J. WISEMAN, III ZONING COMMISSIONER

FOR BALTIMORE COUNTY

WJW,III:raj



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 23, 2005

Mr. & Mrs. Timothy D. Norris 631 Sussex Road Towson, Maryland 21286

> Re: Petition for Administrative Variance Case No. 05-637-A Property: 631 Sussex Road

Dear Mr. & Mrs. Norris:

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,

William J. Wiseman, III

WJW,III:raj Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 63/SUSSEX RD. which is presently zoned RESIDENTIAL

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

perjury, that I/we are the legal owner(s) of the property which

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) 1 B GR. 3C 1 (CHART) TO FERRITO A SUDE CORD SE-LIBHCK OF 8 FT. IN LIGHT COURSED 10 FT.

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.

			is the subject of this Pe	etition.	
Contract Purchas	er/Lessee:		Legal Owner(s):	.4.	M 4108289492
			TIMOTHY	D. NORRIS	124110 5825989
Name - Type or Print			Name - Type or Print	<u> </u>	DK 410 JUSJIO 1
			Jana De	m	``
Signature			Signature		
			MEGANI	1. NORRIS	
Address		Telephone No.	Name - Type or Print	1	
			11/200m 11/		
City	State	Zip Code	Signature •	410	8289492 1
Attorney For Petit	tioner:		631 SUSSEX	(RD. 410	8289492 M
			Address	4.47	Telephone No.
			TOWSON	MD.	21286
Name - Type or Print	•		City	State	Zip Code
			Representative to	be Contacted:	
Signature		- · · · · · · · · · · · · · · · · · · ·			
Company	<u>.</u>	······································	Name		<u></u>
Address		Telephone No.	Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.
City	State	Zip Code	City	State	Zip Code
			required, it is ordered by the		
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W/B					
	****** *** *** ***		Zoning Commi	ssioner of Baltimore Coun	ty
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REV 10/25/01		Eas	imated Posting Date <u>(</u>	16-15-1) <
KEV 10/20/01	-	ESt	mateu rosting Date <u>(</u>		

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.

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That the Affiant(s) does/do presently reside at	63/50 Address	155EX R	<u> </u>	<u> </u>
	70W501	V	MD. State	31286
That based upon personal knowledge, the follo	owing are the fa	cts upon whic		Zip Code request for an Administrative
Variance at the above address (indicate hardsh	ip or practical d	ifficulty):		
1. HOME OWNER DESIRE	5 TO DEN	TIOLISH !	AN EXISTI	NG SCREENED
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FOUNDATION, Layout of 2 NEW ADDITION WILLE	RE THE SI	ME SIZI	- AC EVIST	TON (My GLOCES)
2 NEW ADDITION WILL	JE THE ON	INE SIZZ	- 773 ZA 13 11	- CKELINES JUNE
3 EXISTING SCREENED POR Draining in 4 EXISTING SCREENED POR	book you	WATER A	ND TERMI	HE DAMAGED
4 EXISTING SCREENED POR	CH 15 AL	ETHRALL	Y UNATPE	FACTIVG
5. NEW ADDITION WILL	MPROVE	HOME A	PPEARANC	
6. NEW ADDITION WILL	IMPROVE	SAFET	OF LIVIN	IG AREA
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand additional inform	is filed, Affiar nation.	nt(s) will be requ	ured to pay a reposting and
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Signature				
Name - Type or Print		Name - Type o	ANM, NO	RRIS
		•		
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:			·
I HEREBY CERTIFY, this (ay of W), day of W), of Maryland, in and for the County aforesaid, pe	rsonally appear	, <u>ഉക</u> ed	os, before me	e, a Notary Public of the State
the Affiant(s) herein, personally known or satisfa	actorily identified	1 to me as suc	ત <u>ડ</u> h Affiant(s).	
AS WITNESS my hand and Notarial Seal				
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		y Public	ALEXAN	DEACIBATOUIN 26/05
	M∀€€	ommission Ex	pires ノオノー	76/6S

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 631 Sussex Rd
	Address 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):
Ó	Home owner desires to demolish an existing screen
	forch and replace with an enclosed addition on the existing foundation legent of house requires addition to be put in this or existing foundation. Legent of house requires addition to be put in this or
5	New addition will be the same size as existing
3	Existing screened forch has water and termite
	Existing screened forch has water and termite damage. Training in back yard prevents additionabling built there
Á	Existing Scheened Porch is gestimented in all and
3	New addition will improve mone represent the
D	tristing screened porch is aesthetically unappealing New addition will improve home appearance. New addition will improve safety of living area. New addition will improve safety of living area.
	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.
	Dis On Marin
	Timothy D Norris Signature) Megan M Norris
	Name - Type or Print Name - Type or Print
	STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
	I HEREBY CERTIFY, this 🗝 day of way for the State of Maryland, in and for the County aforesaid, perspinally appeared
	the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
	AS WITNESS my hand and Notarial Seal
	Notary Public HLEXANDRA C. BALDWIN
	My Commission Expires 12/26/05
	- / /



CASE NO.

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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

Zoning Commissioner of Baltimore County

for the property located at 63 Sussex Rd which is presently zoned Residential

	which is presently zoned Kes dept.
	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 fr	om Section(s) 1-BOR. 301 (CUPRO) TERMIN
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of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. .egal Owner(s): Contract Purchaser/Lessee: Vame - Type or Print Name - Type or Print Signature Signature Type or Print Telephone No. Address Zip Code Signature State City Attorney For Petitioner: Telephone No Address りシベヘ State Name - Type or Print Representative to be Contacted: Signature Name Company Telephone No. Telephone No. Address Address Zip Code State Zip Code City State City A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of this regulations of Baltimore County and that the property be reposted.

Reviewed By __

Zoning Description

Zoning Description for 631 Sussex Road, Towson, MD. 21286. Beginning at a point on the south side of Sussex Road which is 24 ½ feet of right-of-way width wide at the distance of 197 ½ feet east of the centerline of the nearest improved intersecting street Mitten Lane which is 17 feet wide. Being Lot # 173, Block 2, Section 2 in the subdivision of Wiltondale as recorded in Baltimore County Plat Book # 14, Folio # 92, containing 8192 square feet of acres. Also known as 631 Sussex Road and located in the 9th Election District, 5th Councilmanic District.

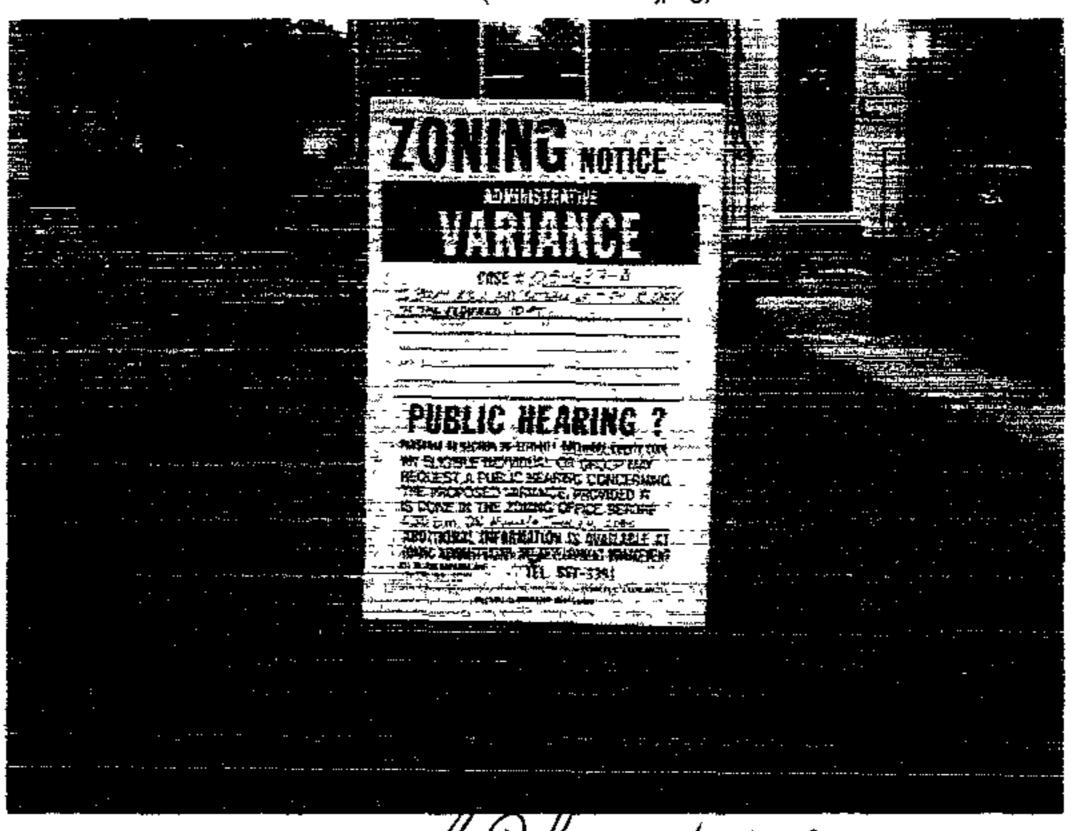
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CERTIFICATE OF POSTING

	RE:Case No. 05-437-1
	Petitioner/Developer: Travithy &
	MEGAN NORMS
	Date of Closing/Hearing: 4/20/05
Baltimore County Department of Permits and Development Managemer County Office Building, Room 111	nt
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the penal sign(s) required by law were posted cost	* * *
This sign(s) were posted onMon	th, Day, Year
Sinc	erely,
	Sign Poster and Date Martin Ogle 5016 Castlestone Drive Baltimore Maryland 21237 (443-629-3411)

im000328 (576x432x256 jpeg)



2000 4/4/05

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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 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: <u>05. 657-</u> Petitioner: <u>TIMOTHY + MEGAN WORRIS</u>
-
Address or Location: 631 SussEx RD Towson MD 21286
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address: 631 SUSSEX PD
TOWSON MD 21286
Telephone Number: 410 828-9492_

Revised 2/20/98 - SCJ

OS.637-17

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 637-A Address 631 Susset Tax
Contact Person: South Related Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: <u>OJ·RGOS</u> . Posting Date: <u>OGOS</u> .OS Closing Date: <u>OG-RC</u>
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
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- 637 -A Address 631 Sussex Ro. Petitioner's Name Two was Tecan Norris. Telephone 40-828-9497
Petitioner's Name <u>Linocure in Morris</u> . Telephone 40-828-9497
Posting Date:
Vording for Sign: To Permit & SIDE GARD SEUGREK OF TET. CW. (CON OF WE REQUIRED LOFT.
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

June 20, 2005

Timothy D. Norris Megan M. Norris 631 Sussex Road Towson, Maryland 21286

Dear Mr. and Mrs. Norris:

RE: Case Number: 05-637-A, 631 Sussex Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 26, 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, U. Callinal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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

June 6, 2005

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

ATTENTION: Zoning Review Planners

Distribution Meeting of: June 13, 2005

Item No,: 634, 635, 636, 637, 640, 642

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



INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 10, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 20, 2005 Item No. 637

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right-of-way for all public roads in Baltimore County is 40-feet. Setbacks shall be modified accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO637-06102005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** June 16, 2005

FROM:

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

CEVED

JUN 2 0 2005

ZONING COMMISSIONER

SUBJECT:

631 Sussex Road

INFORMATION:

Item Number: 5-637

Petitioner: Timothy Norris

Zoning: DR 5.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to build an addition with a side yard setback of 7 feet in lieu of the minimum required 10 feet provided the following conditions are met:

- 1. Building materials shall be consistent with the building materials of the existing single-family dwelling.
- 2. Architectural elevations (all sides) must be submitted to the Office of Planning for review and approval prior to the issuance of a building permit.

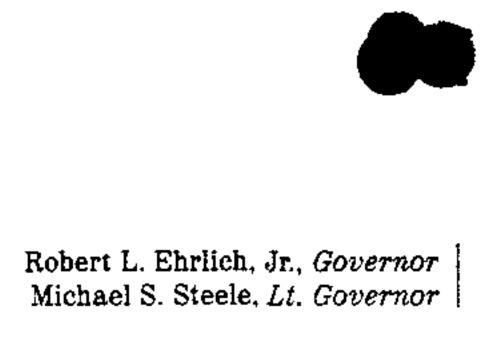
For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL: CM

W:\DEVREV\ZAC\5-637.doc





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

Maryland Department of Transportation

Date: 6.7.05

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

RE: Baltimore County

Item No. 637 JRA

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).

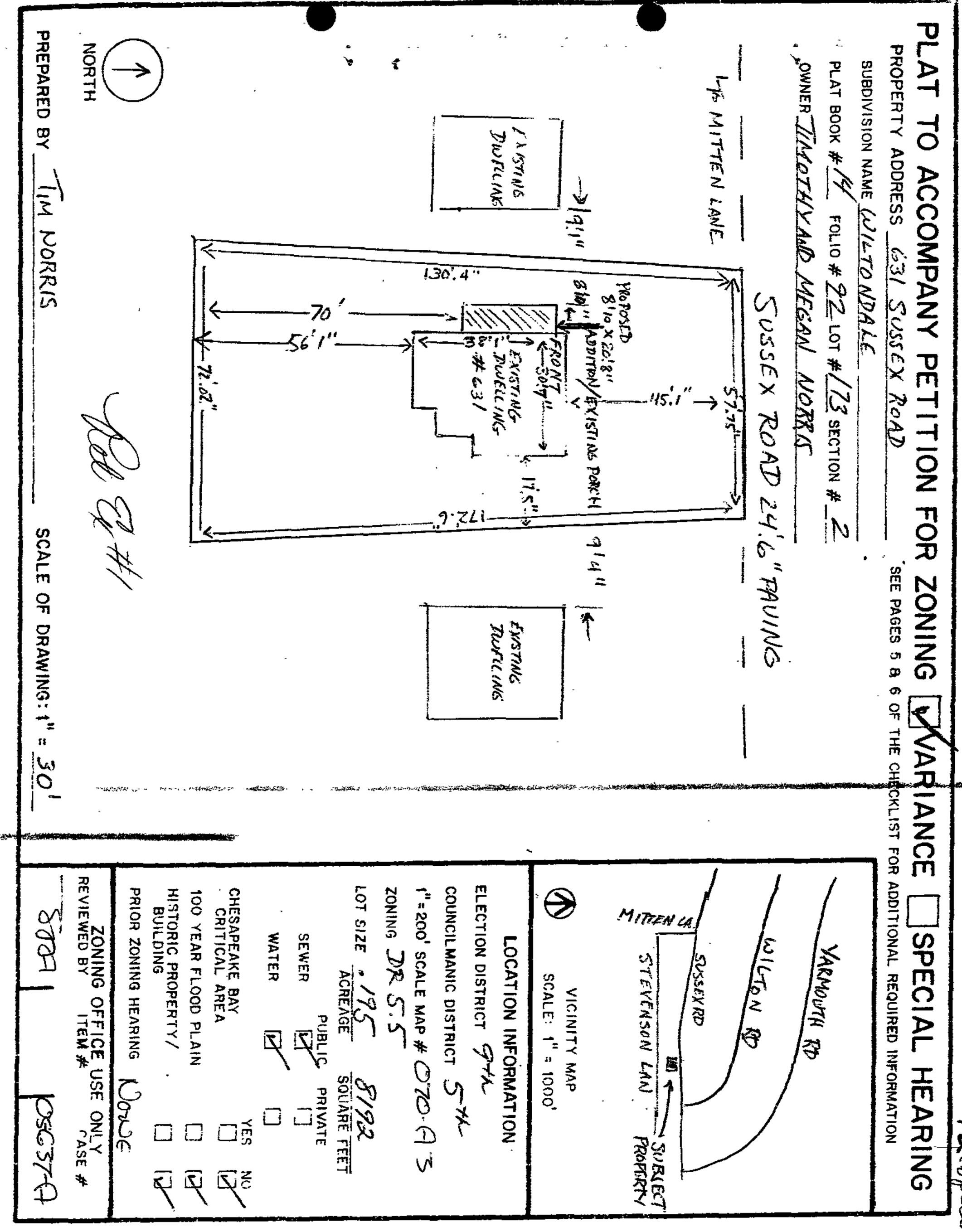
Very truly yours,

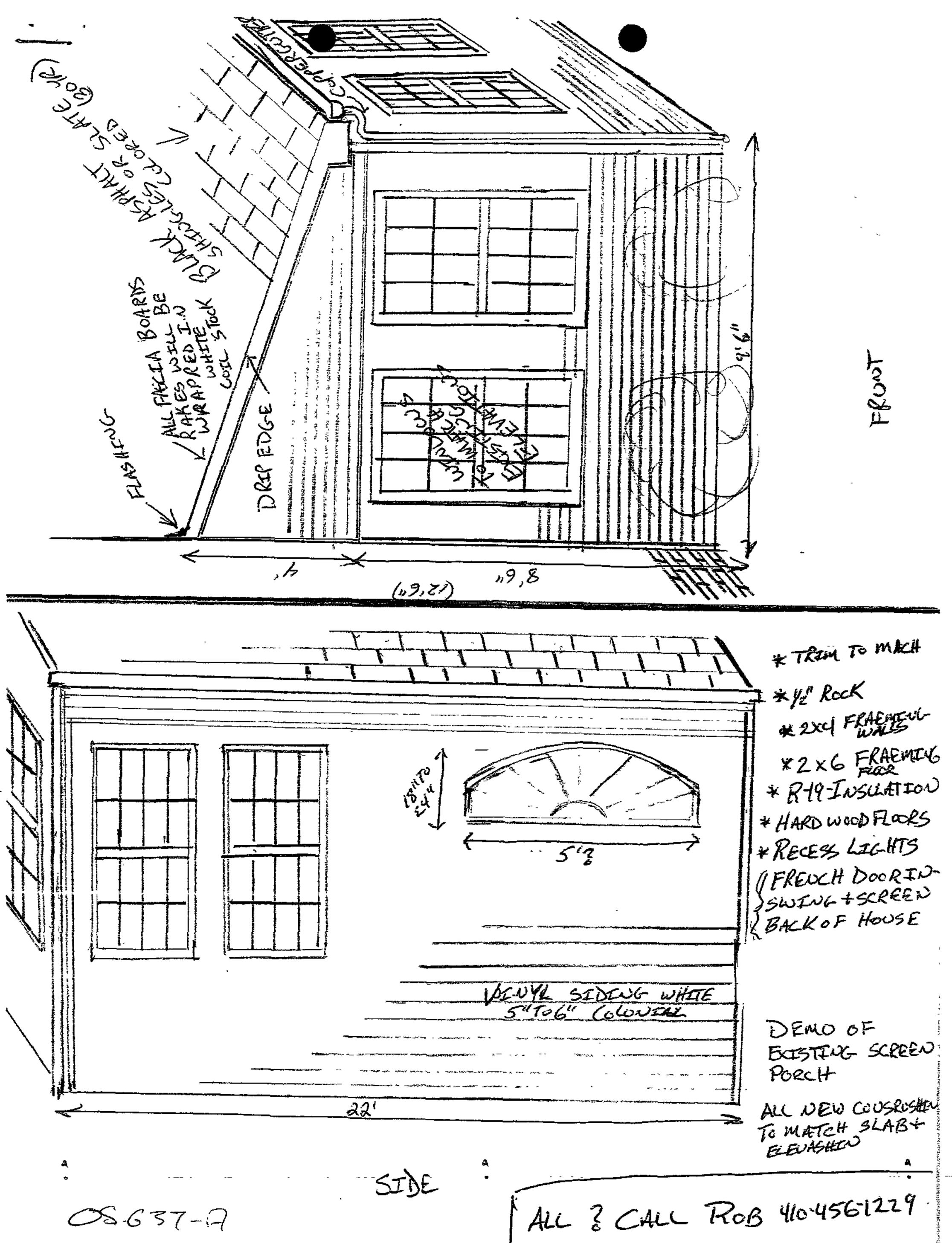
Steven D. Foster, Chief

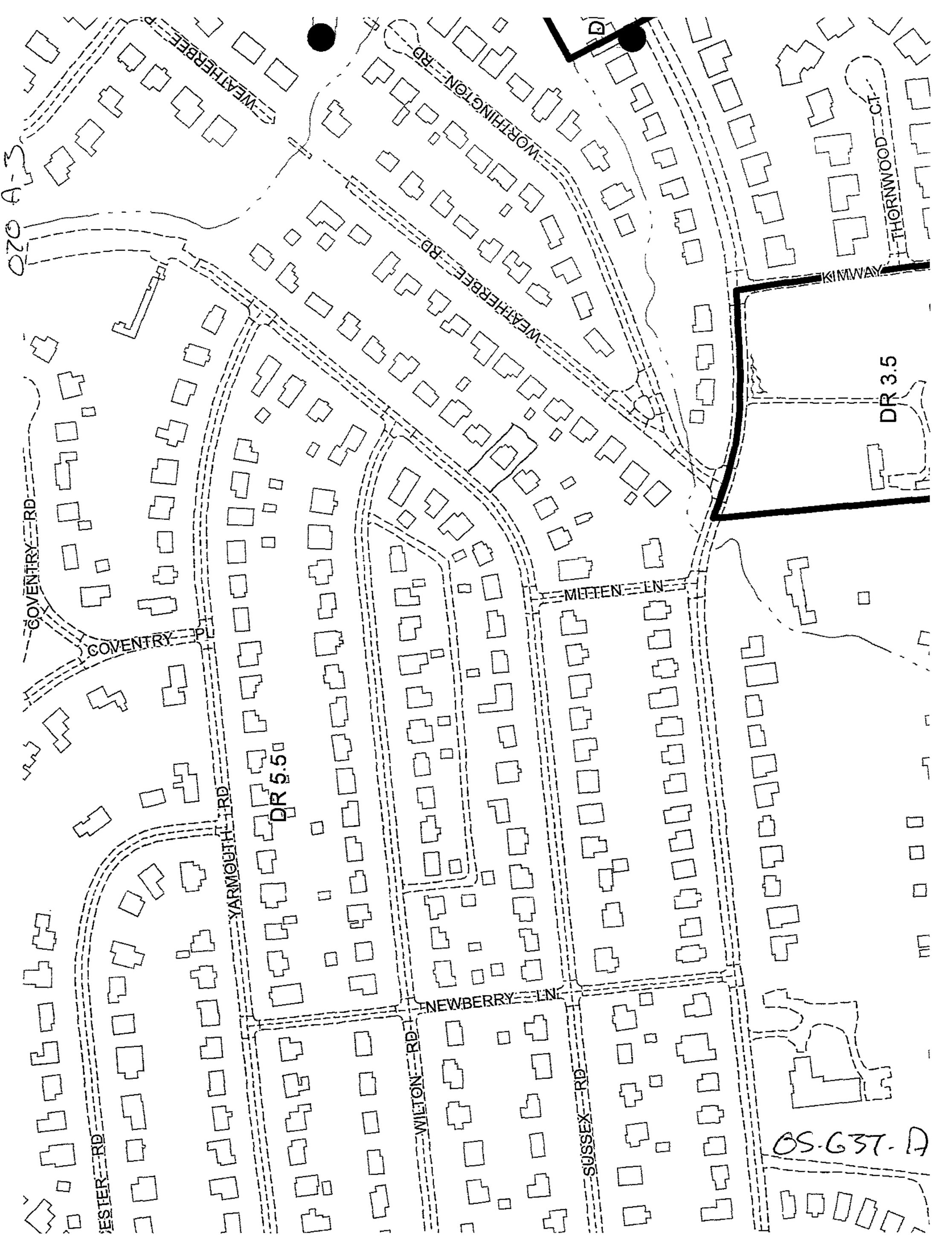
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Engineering Access Permits Division

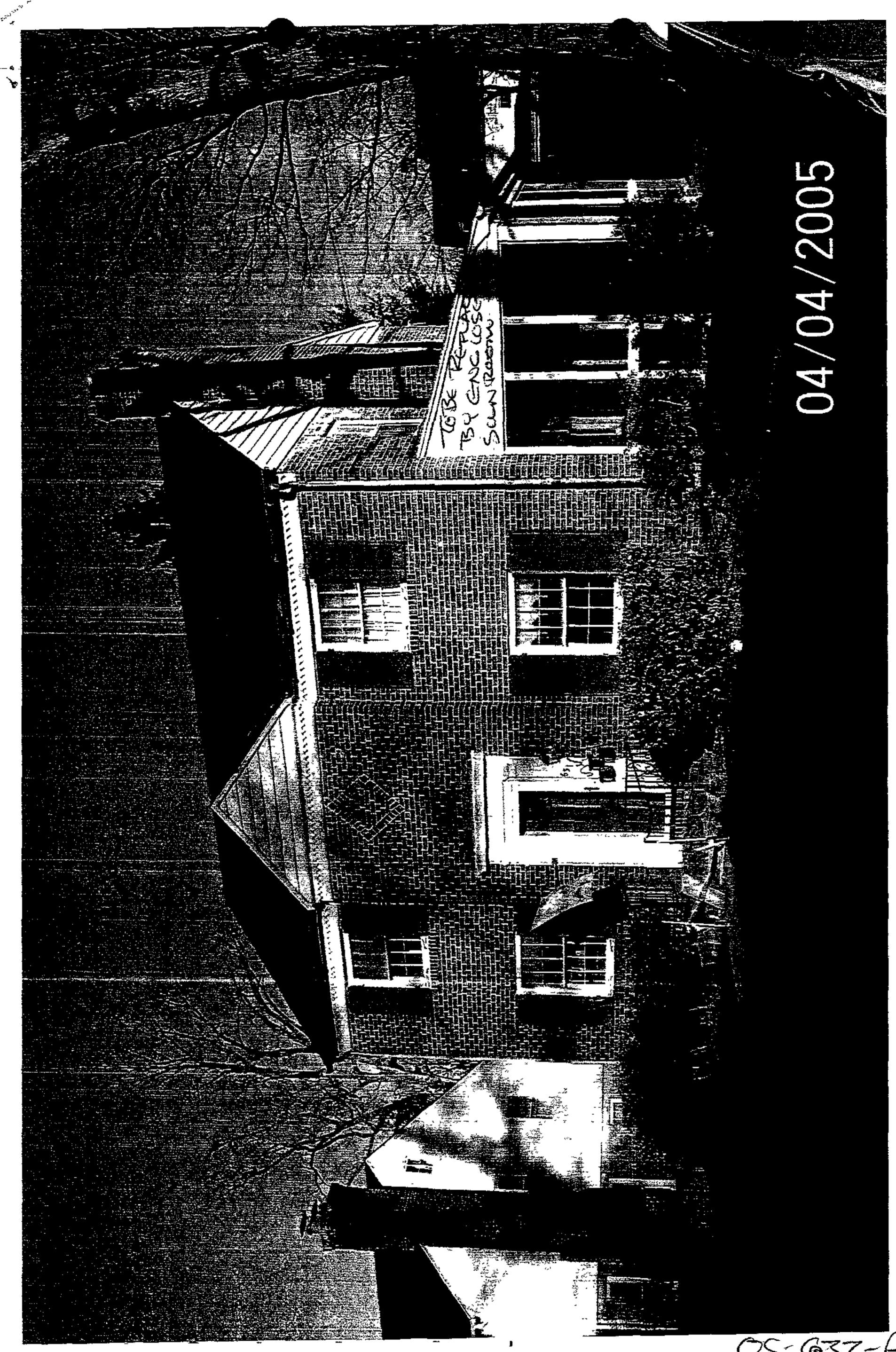
May 22, 2005 To Whom It May Concern, The and Magan Morris have described with us their plans to endose their screened porch. We fed it will increase the value of the home and beautiful the street appeal. We are placed with their flans. Sem/ Z Bruk 629 5USSEX RD











OS-637-A