IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Stonewall Road, 245 ft. W
centerline of Old Frederick Road
12th Election District
1st Councilmanic District

(204 Stonewall Road)

Kimberly & Andrew Meyers
Petitioners

BEFORE THE

\* ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-676-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, Kimberly and Andrew Meyers. The variance request is for property located at 204 Stonewall Road in the Catonsville area of Baltimore County. The variance request is from Section 1B02.3.C.1 (chart) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear setback of 21 ft. in lieu of the required 30 ft. for a proposed 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 July 1, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 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.

M. THOUSE CHEEN

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this 21 day of July, 2005, that a variance from Section 1B02.3.C.1 (chart) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear setback of 21 ft. in lieu of the required 30 ft. for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

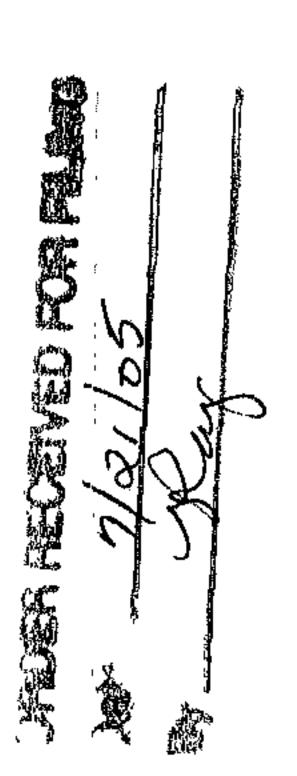
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

Order.

WILLIAM I 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

July 21, 2005

Mr. & Mrs. Andrew Meyers 204 Stonewall Road Catonsville, Maryland 21228

Re: Petition for Administrative Variance Case No. 05-676-A
Property: 204 Stonewall Road

Dear Mr. & Mrs. Meyers:

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.

Wiseman, III

Zoning Commissioner

WJW,III:raj Enclosure





# Petition for Administrative Variance

for the property located at 204 Stonewall Rd

### to the Zoning Commissioner of Baltimore County

which is presently zoned \_\_\_

\_ Date <u>OG-ZI-OS</u>

This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section	is described in the description and plat attached hereto and
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to resolve in the DET 13 H	CKOF RIFT. 1. 1 (FILE TO TE TO) ET
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of the zoning regulations of Baltimore County, to the zoning law of this petition form.	of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the zo i, or we, agree to pay expenses of above Variance, advertising, postir regulations and restrictions of Baltimore County adopted pursuant to the county ad	ng, etc. and further agree to and are to be bounded by the zoning
	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:	Legal Owner(s):
!	Onlaws Manage
Name - Type or Print	Name—Type or Print)
Signature	Signature Mollors
Address Telephone No.	Name Type or Print
City State Zip Code	Signature Mully Mully
Attorney For Petitioner:	204 Stone Wall Kd 410-455-0786.
Thomas M. Sclin	Address Catonsuille MD 2628
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
Signature, Signature Office of Thomas M Solw	Andrew Meyers
40/7 F-5115 RD (410)9030436	204 Stonewall Rd 410-455-0786
Address Telephone No.  Baltimore Md 26228	Address Telephone No 21225
City State Zip Code	City State Zip Code
Public Hearing having been formally demanded and/or found to be rectained and/or found to be rectained.	quired, it is ordered by the Zoning Commissioner of Baltimore County, petition be set for a public hearing, advertised, as required by the zoning
A M	
	Zoning Commissioner of Baltimore County
1	

Reviewed By \_\_\_\_\_

Estimated Posting Date <u>07-03-05</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.

That the Affiant(s) does/do presently reside at

REV 10/25/01

•	Certonsville	MD	2 1228
That based upon personal knowledge, the followariance at the above address (indicate hardsh	wing are the facts upon which ip or practical difficulty):	State h I/we base the request for	
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a bedroom to	our home.	This add	ition
a bedroom to will leave 20 fee	et of the	easement a	nd the
the required amount of the	house it require t	re, addition to be	e on the sid
We want all of the	Dedrouns on th	e same stde.	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature  Name - Type or Print	additional information.  Signature	berly & Meyer	W)
STATE OF MARYLAND, COUNTY OF BALTIN	,	·	
I HEREBY CERTIFY, thisday ofof Maryland, in and for the County aforesaid, be	rsonally appeared	before me, a Notary I	Public of the State
the Affiant(s) herein, personally known or satisfa	actorily identified to me as suc	h Affiant(s).	<u> </u>
AS WITNESS my hand and Notarial Seal		11/01	
SEAN M. MAGUIRE  NOTARY PUBLIC STATE OF MARYLAND  My Commission Expires September 29, 2008	Notary Public  My Commission Exp	oires	

# Affidavit in Support of Administrative Variance

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204 Stonewall Rd

That the Affiant(s) does/do presently reside at		Honewall	Rd	
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De built on the desig				
we want all bedrooms				
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is additional inform	s filed, Affiant(s) sation.	will be require	d to pay a reposting and
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Andrew D. Meyers	·	Signature		eyers
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STATE OF MARYLAND, COUNTY OF BALTIN	<u> </u>	سے دھی۔	<u>-</u>	
HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, performed to the County of the county o	rsonally appeare	d S. Meye		Notary Public of the State
the Affiant(s) herein, personally known or satisfa				
AS WITNESS my hand and Notarial Seal		41	<u>ල</u>	, /
SEAN M. MAGUIRE	Notary	Public Public		6/16/05
NOTARY PUBLIC STATE OF MARYLAND My Commission Expires September 29, 2008	My Co	mmission Expires		·· <del>····</del>

REV 10/25/01



# Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 204 Stonewall Rd
which is presently zoned <u>DR 55</u>

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal This Petition strain be model as the property situate in Baltimore County and writer is described where of the property situate in Baltimore County and writer is described where of the property situate in Baltimore County and writer is described where of the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County and writer is described with the property situate in Baltimore County owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and 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: <u>Legal Owner(s):</u> Name - Type or Print Name - Type or Print) Signature Signature **Address** Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: Address Telephone No. nomes Name - Type or Print State Zip Code Representative to be Contacted: Signature Company Address Telephone No. Address Telephone No. State Zip Code 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, day of 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.

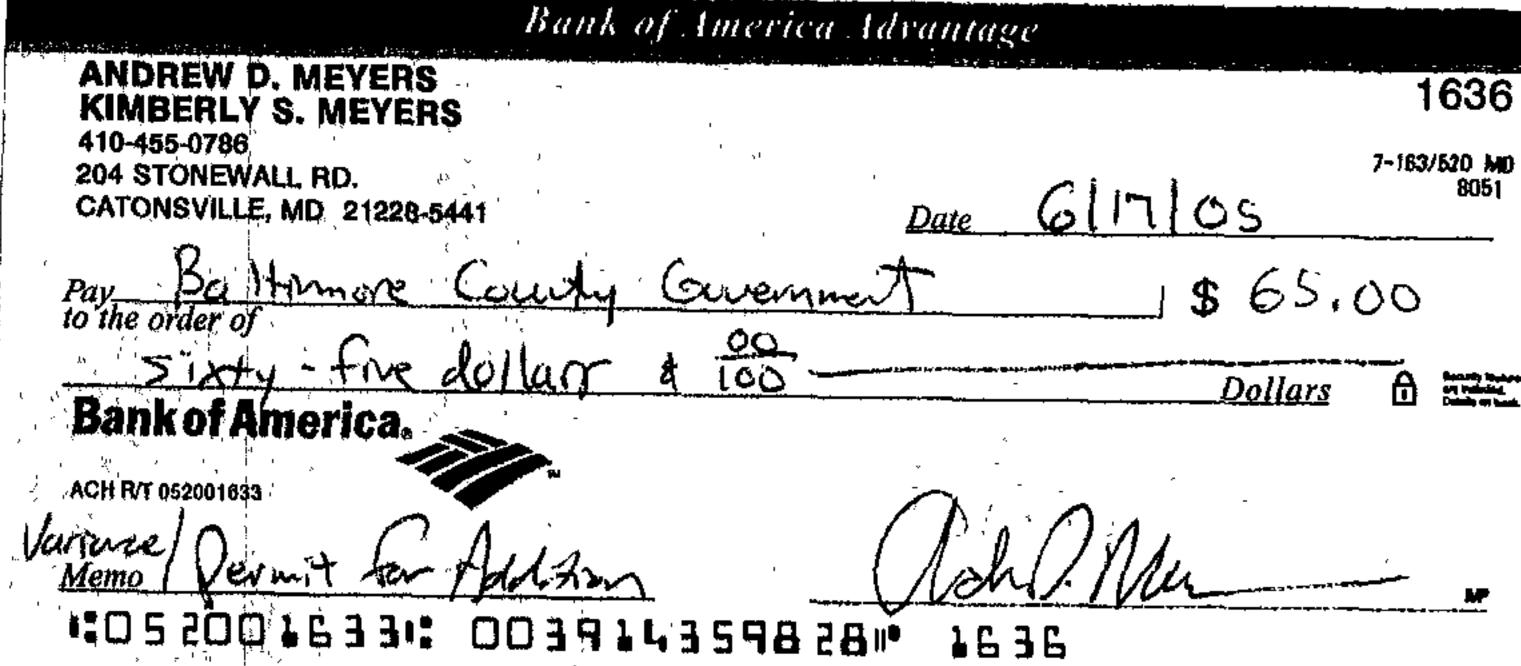
	! 
	Zoning Commissioner of Baltimore County
CASE NO. 05-676-1	Reviewed By 500-7 Date 06-705
REV 10/25/01	Estimated Posting Date

### **ZONING DESCRIPTION FOR 204 STONEWALL ROAD**

Beginning at a point on the south side of Stonewall Road which is 50 foot wide at the distance of 245 feet west of the centerline of the nearest improved intersecting street Old Frederick Road which is 50 foot wide. Being Lot # 8, Block D, Section #1 in the Subdivision of Devere Estates as recorded in Baltimore County Plat Book # 24, Folio # 124, containing 10154 square feet. Also, known as 204 Stonewall Road and located in the 1st Election District, 12<sup>th</sup> Councilmanic District.

BALTIMORE COUNTY, MARYLOD  OFFICE OF BUDGET & FINANCE  MISCELLANEOUS RECEIPT	54
DATE 06-21-05. ACCOUNT R. 00(.006.6	<u>(50</u>
AMOUNT \$ 65 00	
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FOR: DICLIN. Upon	
204 STONEWAGED.	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION
	erica Advantage
ANDREW D. MEYERS KIMBERLY S. MEYERS	1

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### CERTIFICATE OF POSTING

	Substituting Closing: SOCY 10, 2005
Saltimore County Department of counts and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Cowson, MD 21204	
Mention: Becky Hart	
adies and Gentlemen: This letter is to certify u	under the penalties of perjury that the necessary sign(s) required by
were posted conspicuously on the property	located at 704 STONE WAW ROAD
!	
he sign(s) were posted on July	, 2005
; ,	(Month, Day, Year)
	Sincerely,
	DE ONE
÷ ♥	(Signature of Sign Poster and Date)
	GARLANDE. Moons
•	(Printed Name)  3225 RYERSON CIRCLE
	(Address)
	PAUTINIARE, MD. 21227
	(City, State, Zip Code)
	(Telephone Number)
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RE: Case No.: 05-676-A

Petitioner/Developer: ANDREW MEYE128



# ADMINISTRATIVE

CASE TO TOTAL SERVICE OF THE PARTY OF THE PA

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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

# ADVERTIŞING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 05-676-676-
Petitioner: ANDREW & KNUBGRLY MCGRS.
Address or Location: 204 S-coneway [20
PLEASE FORWARD ADVERTISING BILL TO:
Name: 1-) NDROW & KINGGORY MEGENS.
Address: 204 STONGWAC RO.
CA-consulue Ha 21228.
Telephone Number: 40-455 0786.

Revised 2/20/98 - SCJ

05.676-(-)

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 6 -A Address 304 5 COOCWAC (Co.
Contact Person: Sound Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 06 71 Posting Date: 070305 Closing Date: 07-18 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.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
. (Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 05- G76 -A Address 704 S-concueru Po.
Petitioner's Name ANDREWS Kunsery Fleyers Telephone 410-455-0796
Posting Date: <u>07-03.05</u> Closing Date: <u>07-(8-05</u>
Nording for Sign: To Permit A REAR SECTIONER OF 21 FT. IN Licu
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# 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

July 18, 2005

Thomas M. Sulin 4017 Falls Road Baltimore, Maryland 21228

Dear Mr. Sulin:

RE: Case Number: 05-676-A, 204 Stonewall Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 21, 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.

U. Callinal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Andrew and Kimberly Meyers 204 Stonewall Road Catonsville 21228



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

### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 5, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 30, 2005

Item Nos. 664, 666, 667, 668, 669, 670,

671,673, 674, 676, 677, and 678

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-07052005.doc

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** June 29, 2005

RECEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JUN 3 0 2005

ZONING COMMISSIONER

**SUBJECT:** 

Zoning Advisory Petition(s): Case(s) 5-676- 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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prenared Ry

**Division Chief:** 

CM/LL

### 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

June 28, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: June 20, 2005

Item No.: 621, 662-666, 668-

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.

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

Lt J.D.Mezick Fire Marshal's Office 410-887-5178 MS-1102F

cc: File



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

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

### Maryland Department of Transportation

Date: 6.27.05

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

RE:

Baltimore County
Item No. 474

RA

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.

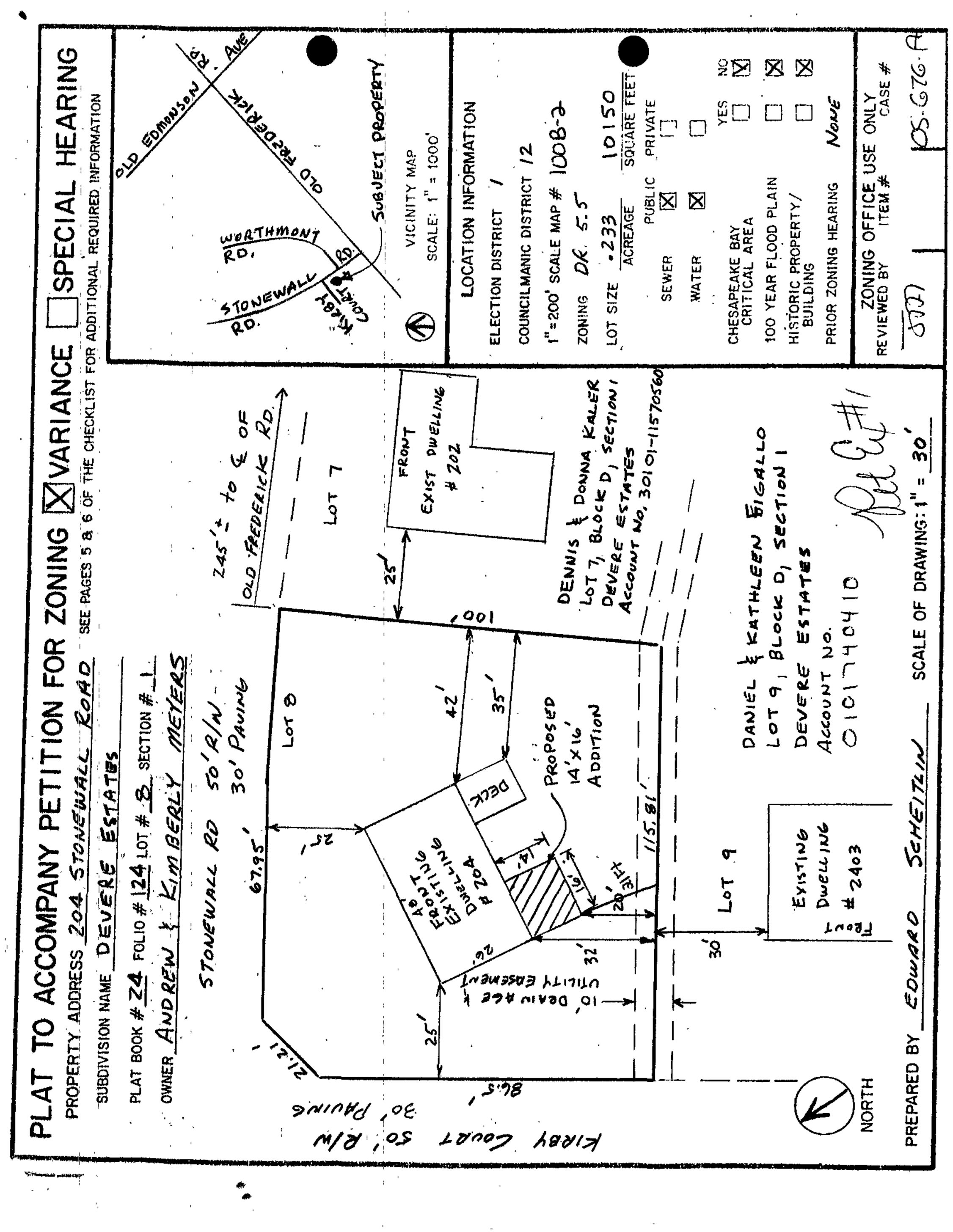
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

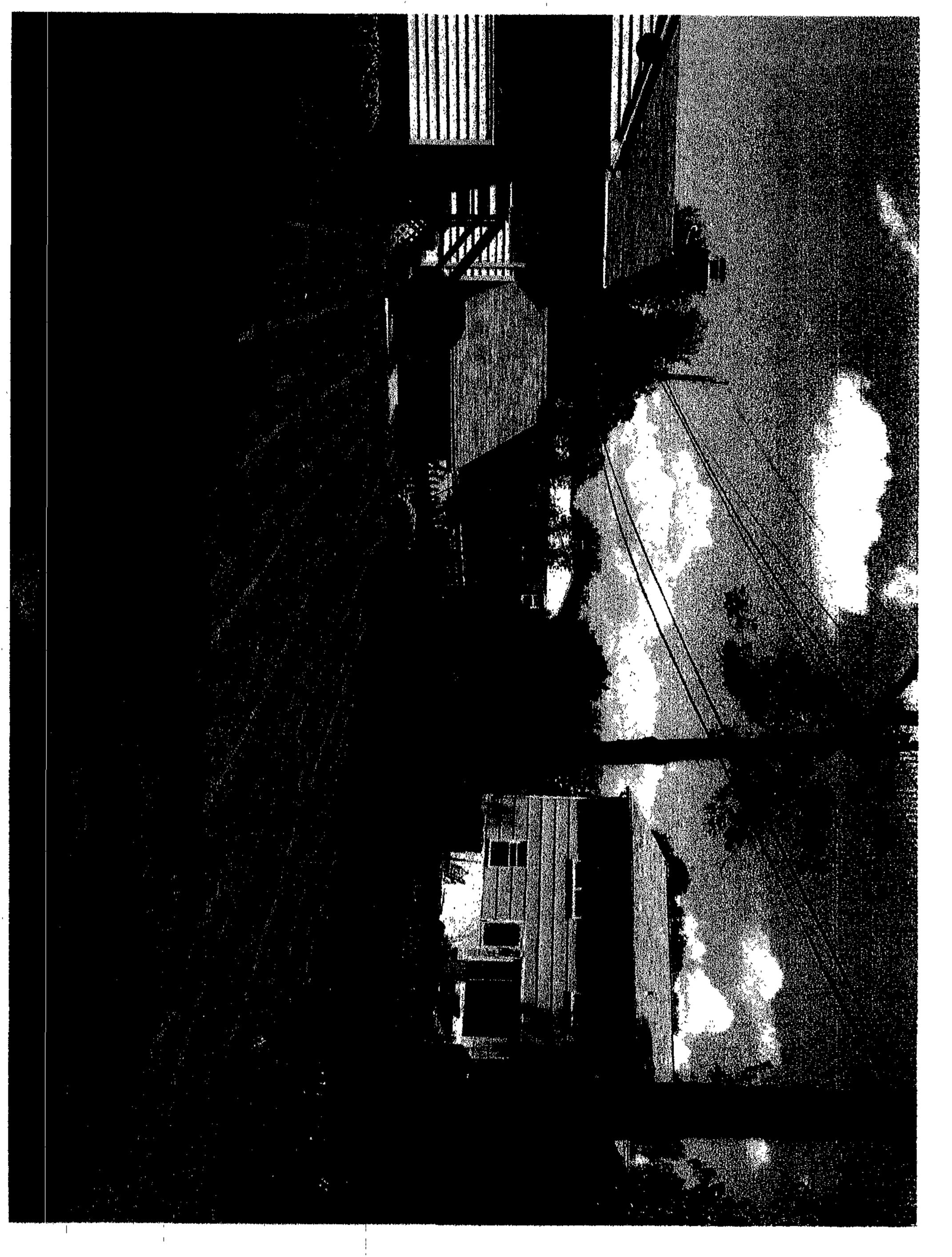
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Engineering Access Permits Division .

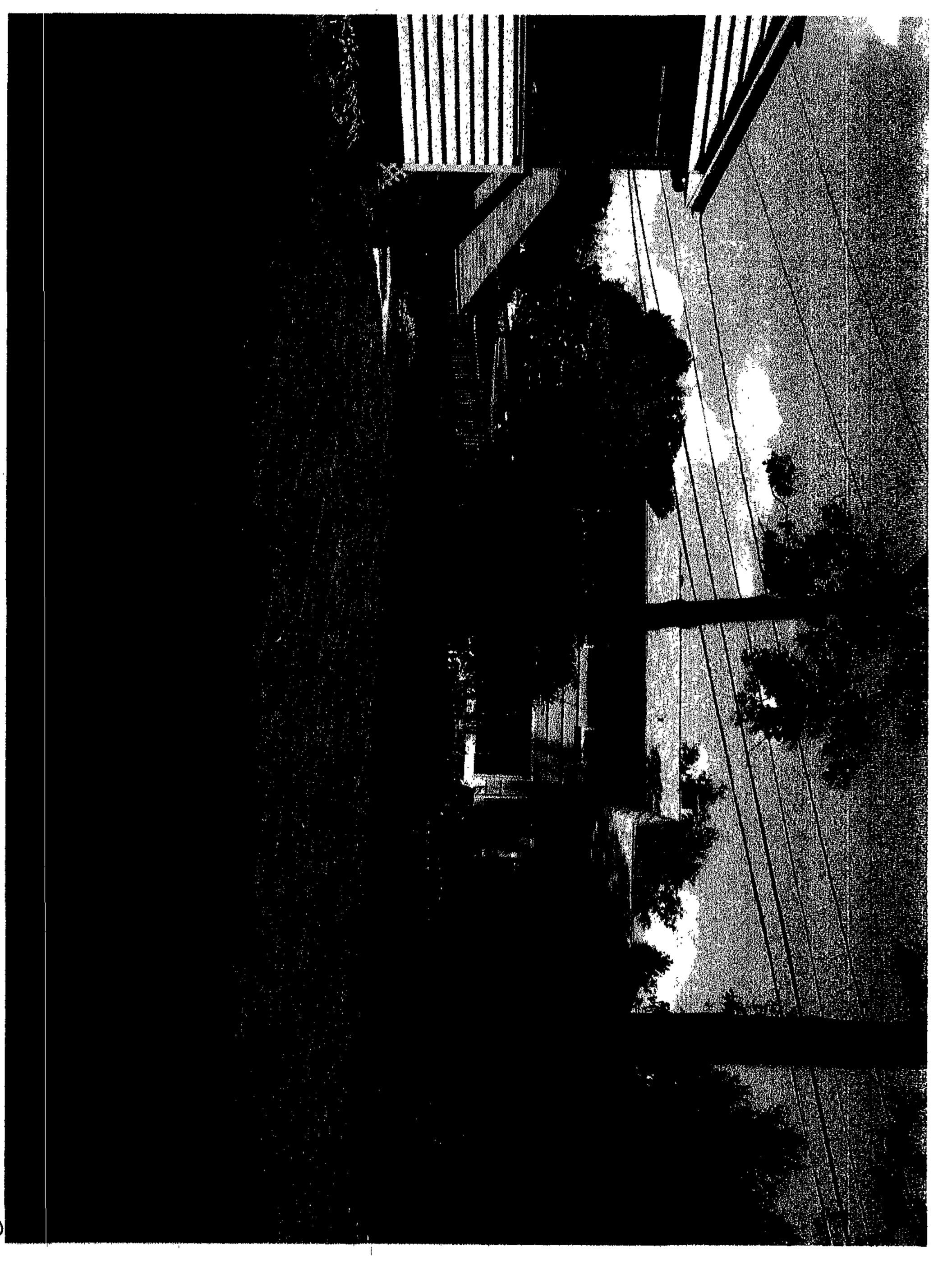




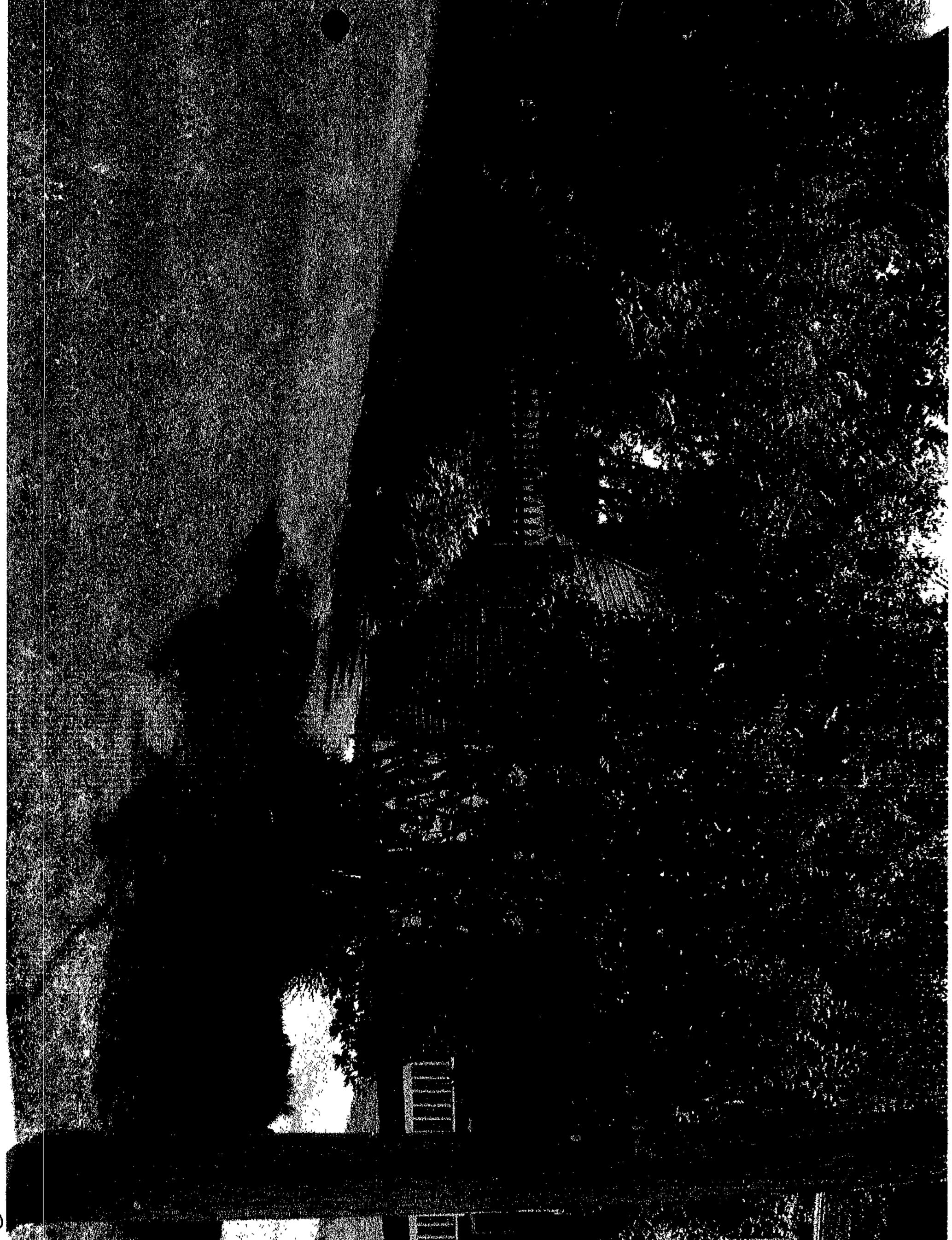
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JS. 6-76-1



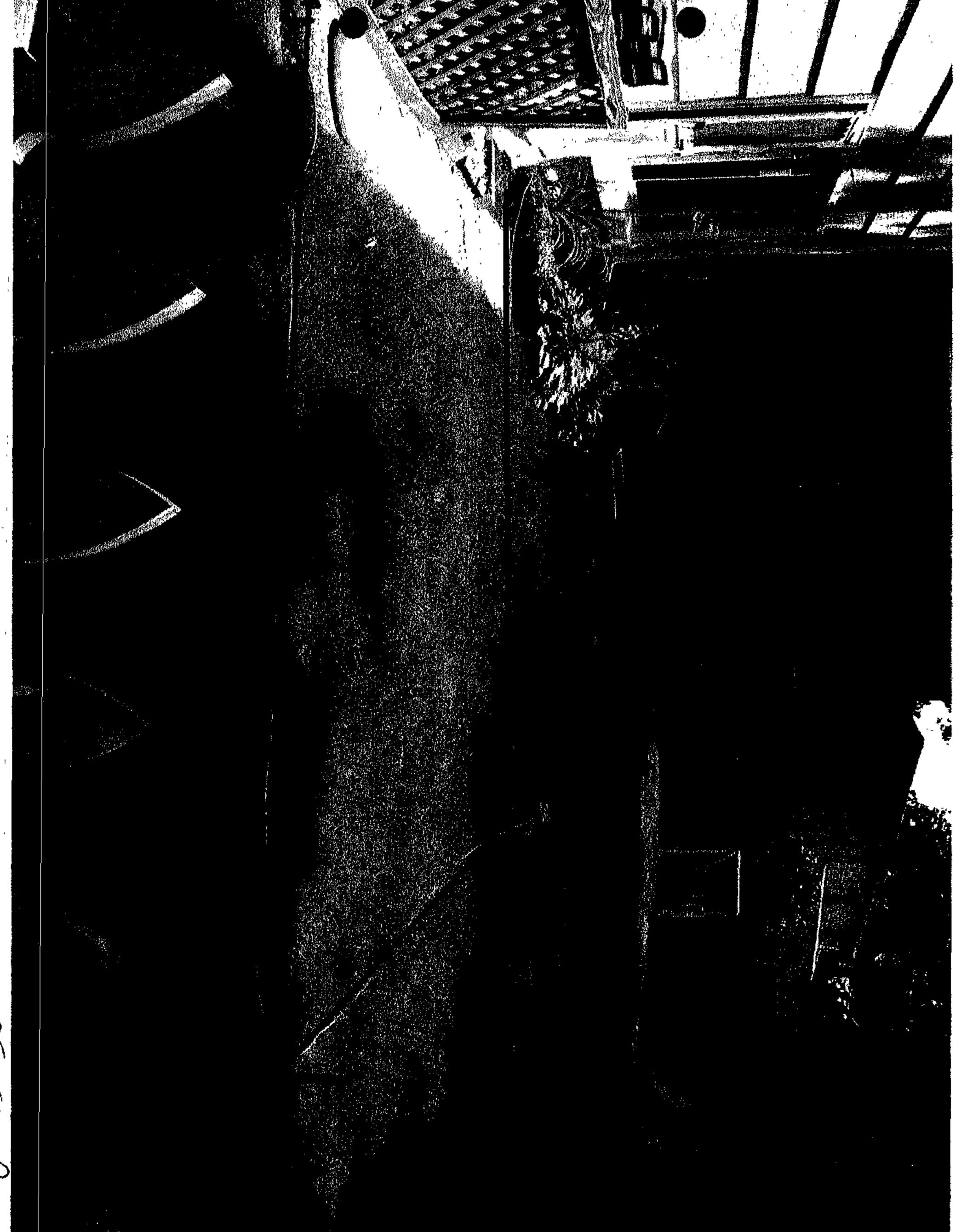
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35-676-(-)