IN RE: PETITION FOR ADMIN. VARIANCE NW/S of delight Meadows Road, 1,770 ft. SW centerline of Bonnie Meadow Circle 4th Election District 3rd Councilmanic District **(320 Delight Meadows)** Hillary & Steven Roll *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-077-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, Hillary and Steven Roll. The variance request is for property located at 320 Delight Meadows in the Reisterstown area of Baltimore County. The variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 29 ft. in lieu of the required 50 ft. and to amend the Final Development Plan of "Delight Meadows", Lot #29 only. 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 August 11, 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 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.

ORDER RECEIVED FOR FILING
Date 9/2/05

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 2 day of September, 2005, that a variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 29 ft. in lieu of the required 50 ft. and to amend the Final Development Plan of "Delight Meadows", Lot #29 only, 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.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 9/2/05
By

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

September 2, 2005

Mr. & Mrs. Steven Roll
320 Delight Meadows Road
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 06-077-A
Property: 320 Delight Meadows Road

Dear Mr. & Mrs. Roll:

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: Henry Maeser, IV
17400 Falls Road
Upperco, MD 21155

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 320 Delight Meadows Rd. Reisterstown MD.
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) 1A04.3B.2.b. (BCZR)

TO PERMIT AN ADDITION WITH A 29-FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED 50-FEET AND TO AMEND THE FDP FOR "DELIGHT MEADOWS", LOT #29.

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: N.A.

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner: N.A.

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Steven Roll
Name - Type or Print

x Signature

Hillary Roll
Name - Type or Print

x Hillary Roll
Signature

320 Delight Meadows Rd. — H-410-526-0583, C-410-591-3783
Address — Telephone No.

Reisterstown — MD — 21136
City — State — Zip Code

Representative to be Contacted:

Henry Moeser II
Name

17400 Falls Rd — 443-790-1073
Address — Telephone No.

Upperco — MD — 21155
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. 06-077-A

Reviewed By D.T. **Date** 8/4/05

Estimated Posting Date 8/14/05

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 320 Delight Meadows Rd.
Address

Reisterstown MD. 21136
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):

1. Requesting an addition to accomodate an elderly parent at grand level. The addition will have a small kitchen for which we have filed a Declaration of Understanding that this space will be occupied by this family member only. Upon departure of this family member the kitchen will be removed.
2. The location of the addition facilitates easy access from the driveway into the addition.
3. Adding onto the rear of the house would interfer with the existing septic system.

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.

x Signature

Steven Roll
Name - Type or Print

x Hillary Roll
Signature

Hillary Roll
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of Aug, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Steven and Hillary Roll

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

AS WITNESS my hand and Notarial Seal

Suzanne P. Berry
Notary Public

My Commission Expires 11/1/07

REV 10/25/01

Zoning Description

Zoning Description For 320 Delight Meadows Rd. Reisterstown, Maryland, 21136. Begining at a point on the Northwest side of Delight Meadows Rd. which is Sixty Feet (60'-0") wide at the distance of 1770'-0"± Southeast of the centerline of the nearest improved intersecting street Bonnie Meadow Circle which is sixty feet (60'-0") wide. Being Lot # 29, Section # 3 in the subdivision of Delight Meadows as recorded in Baltimore County Plat Book # 63, Folio # 0040, containing 1.63 acres. Also known as 320 Delight Meadows Rd, Reisterstown, MD. 21136. and located in the 4th Election District, 3rd Councilmanic District.

06-077-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 148678

DATE 8/4/05

ACCOUNT 001-006-6150

AMOUNT $ 115.00

RECEIVED FROM: STEVEN ROLL

FOR: ITEM # 077 06-077-A

320 DELIGHT MEADOWS RD. BT.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE	TIME	
08/04/2005	08/04/2005 11:07:14	

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#06-077 A
PETITIONER/DEVELOPER:
Roll
DATE OF CLOSING: 8/29/05

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:
320 Delight Meadows Road

(see page 2 for full size photo)

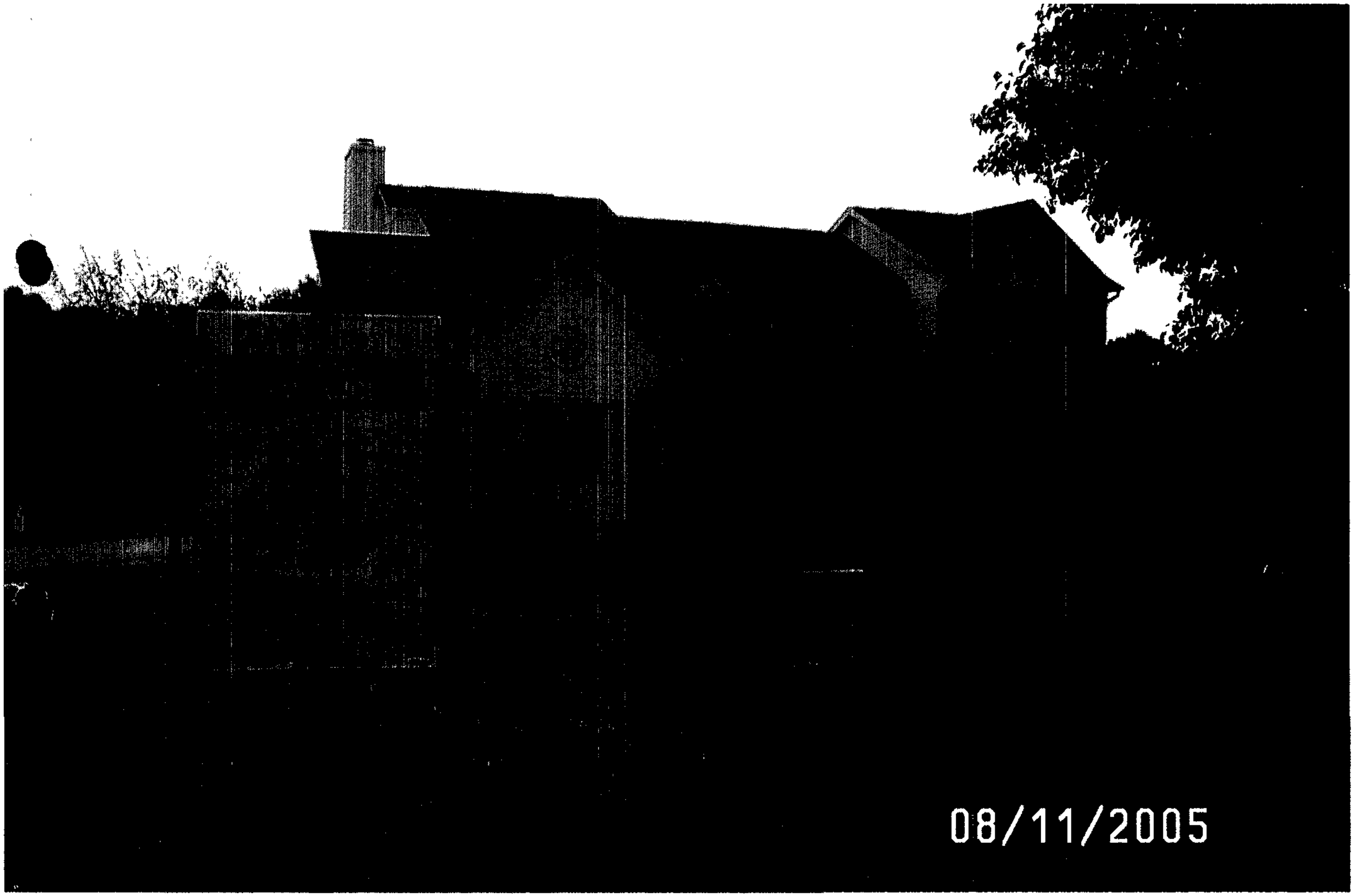
POSTED ON: 08/11/05

SIGNATURE OF SIGN POSTER

John Dill

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

08/11/2005


08/11/2005

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 077 -A Address 320 DELIGHT MEADOWS RD.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/4/05 **Posting Date:** 8/14/05 **Closing Date:** 8/29/05

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 06- 077 -A Address 320 DELIGHT MEADOWS RD.

Petitioner's Name ROLL Telephone 410-526-0583

Posting Date: 8/14/05 **Closing Date:** 8/29/05

Wording for Sign: *To Permit* AN ADDITION WITH A 29-FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED 50-FEET AND TO AMEND THE FDP FOR "DELIGHT MEADOWS", LOT #29.

WCR - Revised 6/25/04

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: 06-077-A

Petitioner: ROLL

Address or Location: 320 DELIGHT MEADOWS RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. STEVEN ROLL

Address: 320 DELIGHT MEADOWS RD.

REISTERSTOWN, MD 21136

Telephone Number: 410-526-0583

Revised 2/20/98 - SCJ

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

August 29, 2005

Steven Roll
Hillary Roll
320 Delight Meadows Road
Reisterstown, Maryland 21136

Dear Mr. and Mrs. Roll:

RE: Case Number: 06-077-A, 320 Delight Meadows Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 4, 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
Henry Maeser IV 17400 Falls Road Upperco 21155

Printed on Recycled Paper

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 8.16.05

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

RE: Baltimore County
Item No. 077 DT

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 24, 2005

RECEIVED

AUG 2 5 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-077**

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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By: _____

Division Chief: _____

CM/LL

W \DEVREV\ZAC\6-077 doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For August 29, 2005
Item Nos. 077, 078, 079, 080, 081, 082, 084, 085, 087, 088

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-08242005.doc

Adjacent Property Owners

1- Alvin & Marcella Stevenson. Phone - Unlisted.
318 Delight Meadows Rd.
Reisterstown, MD. 21136
Tax Account # 2200007561
1.57 Acres. Lot 30 Delight Meadows Subdivision sect. #3

2 - Michael & Susan Schneyer Phone 410-526-5738
319 Delight Meadows Rd.
Reisterstown, MD. 21136
Tax Account # 2200007535
1.02 acres Lot 2 Delight Meadows Subdivision Sect #3

3- Eric Barbour and Tracy Pratt Phone - unlisted
321 Delight Meadows Rd
Reisterstown, MD 21136
Tax Account # 2200007536
1.04 acres Lot 3 Delight Meadows Subdivision Sect #3

4- David & Donita Robinson. Phone - Unlisted
322 Delight Meadows Rd.
Reisterstown MD 21136
Tax Account # 2200007559
1.62 acres Lot 28 Delight Meadows Subdivision Sect #3

06-077-A

Plan Sheet: *057C3*

Note:
Section 32-3-202 of the Baltimore County, 2003 Code establishes the zoning geodatabase. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Legend

Zoning — Streams — Vegetation
Buildings — Roads

Baltimore County
Office of Planning and Zoning
Official Zoning Map

057A2	057B2	057C2	058A2	058B2
057A3	057B3	057C3	058A3	058B3
066A1	066B1	066C1	067A1	067B1

Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County OIT/GIS Services Unit 1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning 1:2400, 2004

06-077-A

Plan Sheet: *057C2*

Note:
Section 32-3-202 of the Baltimore County, 2003 Code establishes the zoning geodatabase. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Legend

Zoning — Streams — Vegetation
Buildings — Roads

Baltimore County
Office of Planning and Zoning
Official Zoning Map

057A1	057B1	057C1	058A1	058B1
057A2	057B2	057C2	058A2	058B2
057A3	057B3	057C3	058A3	058B3

Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

REAR ELEVATION

1/4"=1'-0"

REVISIONS

DATE OF ORIGINAL COMPLETION

ELEVATIONS

ROLL RESIDENCE - ADDITION
320 LEIGHT MEADOWS Rd.
RESTERSTOWN, MD 21136

HENRY MAESER & ARCHITECTS, PA INC.
17400 FALLS ROAD
UPPERCO MARYLAND 2155
443-507-0083 OFFICE
410-239-3522 FAX

SEAL

SHEET

06-077-A

FRONT ELEVATION

SCALE: 1/8" = 1'-0"

REVISIONS
DATE OF ORIGINAL COMPLETION

ELEVATIONS

ROLL RESIDENCE - ADDITION
320 DELIGHT MEADOWS Rd.
REISTERSTOWN, MD. 21136

HENRY MAESER IV ARCHITECTS, PA INC.
17400 FALLS ROAD
UPPERCO, MARYLAND 21155
443-507-0093 OFFICE
410-239-5922 FAX

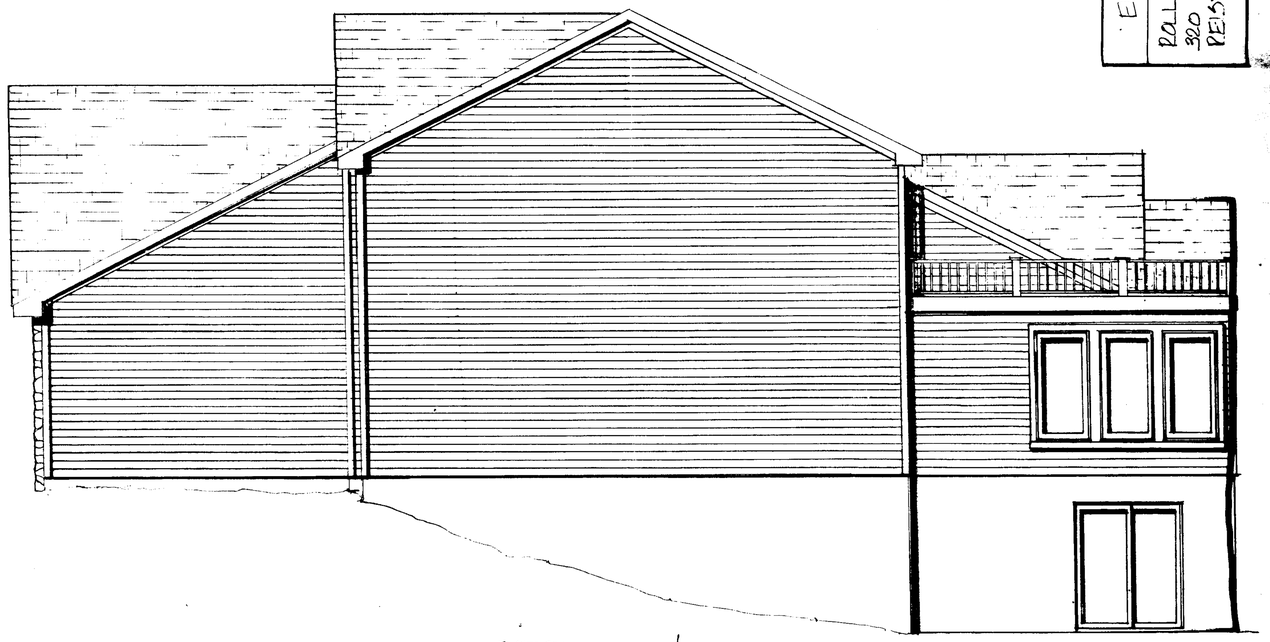
SEAL

SHEET

06-077-A

LEFT SIDE ELEVATION

scale: 1/4"=1'-0"



RIGHT SIDE ELEVATION

scale: 1/4"=1'-0"

REVISIONS

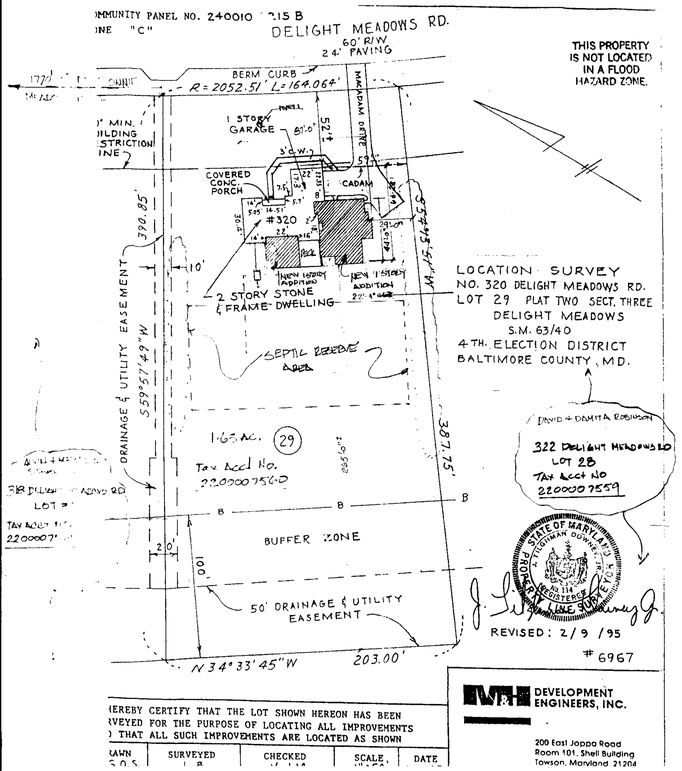
DATE OF ORIGINAL COMPLETION

ELEVATIONS

BALL RESIDENCE - ADDITION
320 DELIGHT MEADOWS Rd.
REISTERSTOWN, MD. 21136

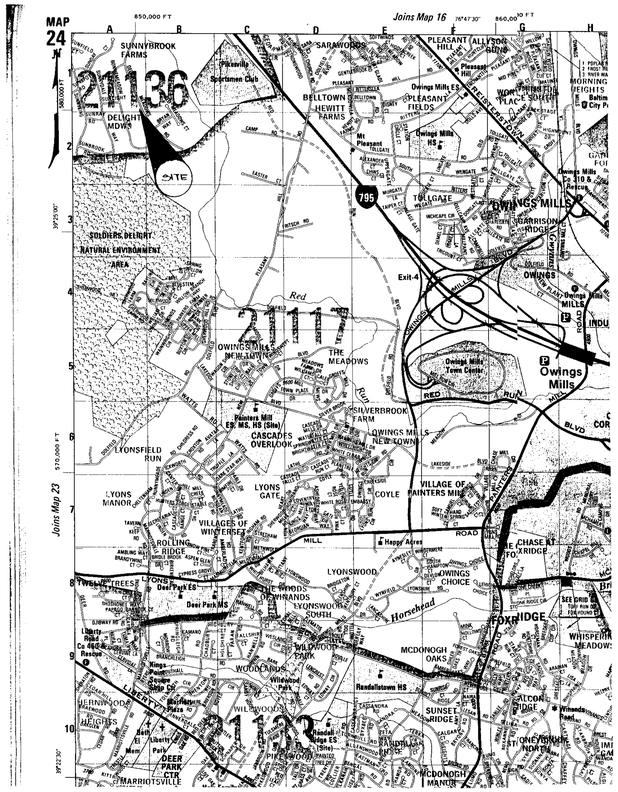
SHEET

06-077-A



PLAT PLAN TO ACCOMPANY ADMINISTRATIVE VARIANCE HEARING

SCALE: 1" = 50'-0"



VICINITY MAP

SCALE: 1" = 2000'

STEVEN & HILARY ROLL RESIDENCE
320 DELIGHT MEADOWS RD
REISTERSTOWN, MD. 21136

LOT #29 DELIGHT MEADOWS SUBDIVISION - SECTION 3
4th ELECTION DISTRICT

LOT SIZE 1.63 ACRES 71002.80 SQ/FT

ZONING RC 5.5
SEWER - SEPTIC
WATER - WELL

CHESAPEAKE BAY CRITICAL AREA - NO
100 YEAR FLOOD PLAIN - NO
HISTORIC PROPERTY/BUILDING - NO

EXISTING HOUSE (NOT INCLUDING GARAGE) — 2648 SQ/FT
SINGLE STORY ADDITION — 1600 SQ/FT
EXISTING HOUSE HEIGHT — 30'-6"
ADDITION HEIGHT — 22'-4"

Pet Ex #1

REVISIONS

DATE OF ORIGINAL COMPLETION

PLAT PLAN TO ACCOMPANY ADMINISTRATIVE VARIANCE HEARING

ROLL RESIDENCE
320 DELIGHT MEADOWS RD.
REISTERSTOWN, MD. 21136

HENRY MAESER IV ARCHITECTS, PA INC.
17400 FALLS ROAD
UPPERCO MARYLAND 7155
443-507-0085 OFFICE
410-239-5522 FAX

ARCHITECTURAL REGISTRATION BOARD
HENRY MAESER
NO. 8734
STATE OF MARYLAND
SEAL

SHEET

06-097-A D.T.