IN RE: PETITION FOR ADMIN. VARIANCE SE/S Glen Arm Road, 440' NE of the c/l Wagon Wheel Court (11321 Glen Arm Road)

11th Election District
3rd Council District

William M. Francis, Jr., et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 06-129-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, William M. Francis, Jr., and his wife, Dawn M. Francis. The Petitioners seek relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit proposed additions with side property line setbacks of 18 feet and 24 feet in lieu of the required 50 feet each. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Gode. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

ROTH FICKINED FOR FILMS.

Based upon all of the evidence contained therein, I am persuaded to grant the requested relief. Variance relief is necessitated given the unique configuration of the property and the location of existing improvements thereon. There were no adverse comments submitted by any County reviewing agency and there was no opposition voiced by any of the neighbors. Thus, it appears that relief can be granted without detrimental impact to adjacent properties.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of October 2005 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit proposed additions with side property line setbacks of 18 feet and 24 feet in lieu of the required 50 feet each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WJW:bjs

ON IN SO

Zoning Commissioner for Baltimore County

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

October 3, 2005

Mr. & Mrs. William M. Francis, Jr. 11321 Glen Arm Road Glen Arm, Maryland 21057

RE: PETITION FOR ADMINISTRATIVE VARIANCE SE/S Glen Arm Road, 440' NE of the c/l Wagon Wheel Court (11321 Glen Arm Road) 11th Election District — 3rd Council District William M. Francis, Jr., et ux - Petitioners Case No. 06-129-A

Dear Mr. & Mrs. Francis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

WJW:bjs

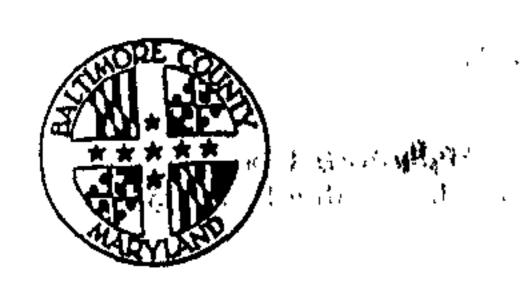
cc: People's Counsel; Case File

Zoning Commissioner for Baltimore County

Very truly yours,



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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	to the zonana
TO THE PARTY OF TH	for the property located at 11321 Glen Arm Road which is presently zoned RC-5
This Petition shall be filed with the owner(s) of the property situate in Barnade a part hereof, hereby petition for the property situate in Barnade a part hereof, hereby petition for the property situate in Barnade a part hereof, hereby petition for the property situate in Barnade a part hereof, hereby petition for the property situate in Barnade a part hereof, hereby petition for the property situate in Barnade a part hereof.	e Department of Permits and Development Management. The undersigned, legal attimore County and which is described in the description and plat attached hereto and for a Variance from Section(s)
To permit an existing setbacks of 18' (east	single family dwelling with addition to have property line) and 24' (west) in lieu of the required 50'.

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

	•		I/We do solemnly declare perjury, that I/we are the is the subject of this Petit	ledai omuet(a) oi mia	property which
Contract Purchaser/Lesse	<u>e:</u>		Legal Owner(s):	• •	1
			William M. Franci	s Jr.	
Name - Type or Print			Name - Type or Print	2-in	
Signature			Signature Dawn M. Francis		<u> </u>
Not applicable Address	<u>e</u>	Telephone No.	Name - Type or Print	Planor)
City	State	Zip Code	Signature		
Attorney For Petitioner:			11321 Glen Arm Ro	oad 410-6	61-3391 Telephone No.
ATTOTION TOTAL			Address Glen Arm	MD	21057 Zip Code
Name - Type or Print	···· <u> </u>	y	City	State	Zip Code
		, 	Representative to	De Contacteu.	
Signature Not applicabl	e		Joseph L. Larson	,	
Campan			Name 105 W. Chesapeak	e Ave. 410)-823-3535 Telephone No.
Acouress	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Address Towson	MD	21204
	State	Zip Code	City	State	Zip Code
Hearing having been form	nally deman	ded and/or found to be	required, it is ordered by the this petition be set for a public h	Zoning Commissioner earing, advertised, as re	of Baltimore County, aquired by the zoning
daylor daylor County and	hat the prope	erty be reposted.	-		
			Zoning Commis	sioner of Baltimore Cou	inty
	ο Δ			Date	1105
64SE NO. 06-17	- '/ - A		viewed By (TM	01110	<u></u>
A VA0/25/01		Es	timated Posting Date		

Affidavit in Support of Administrative Variance

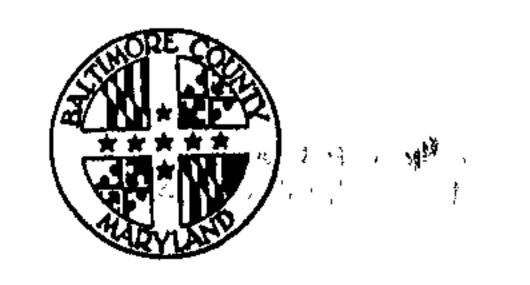
The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

competent to testify thereto in the event that a part that a part the Affiant(s) does/do presently reside at	oublic nearing is sched 11321 Glen Arm	1	aru triereto.
	Address Glen Arm	МD	21.057 Zip Code
in the second of	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts up ip or practical difficulty	on which I/we base the re	quest for an Administrative
The owners need to expand	the existing dwel	lling on the subject	property to
meet their family needs and configuration of the proper clearly evident.		•	
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That the Affiant(s) acknowledge(s) that if a feadvertising fee and may be required to provide	ormal demand is filed additional information.	d, Affiant(s) will be requir	ed to pay a reposting and
Mal.			lany
Signature		ature	
William M. Francis Jr. Name-Type or Print		in M. Francis no-Type or Print	······································
	•		
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:		
HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe		, before me,	a Notary Public of the State
of Maryland, in and for the County aforesaid, pe	ersonally appeared		
the Affiant(s) herein, personally known or satisf	actorily identified to m	e as such Affiant(s).	
			•
AS WITNESS my hand and Notarial Seal			
	Notary Pub	lic	
	•	ssion Expires	
	IVIY COMITIES	201011 FVhiles	

Affida Vit 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 Affi	iant(s) does/do	presently reside at	Address	Road	<u> </u>	
	1	•	Glen Arm	МD	· · · · · · · · · · · · · · · · · · ·	21057
•	, <u>1</u> 3.4	,•	City	State		Zip Code
That based Variance at	upon personal the above add	knowledge, the folloress (indicate hardsh	owing are the facts up ip or practical difficult	oon which I/we ba y):	se the request fo	r an Administrative
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Signature	M. Francis	J	Da	nature wn M. Francis me - Type or Print	N. Hans	
STATE OF	MARYLAND,	COUNTY OF BALTI	MORE, to wit:			
I HEREBY of Maryland	CERTIFY, this I, in and for the	day of County aforesaid, pe	ersonally appeared	, be	fore me, a Notar	y Public of the State
the Affiant(s	s) herein, perso	nally known or satist	actorily identified to n	ne as such Affiant	:(s).	1
			, •	; ; ; ;		
AS WITNES	SS my hand an	d Notarial Seal				
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			My Comm	ission Expires	, , , , , , , , , , , , , , , , , , , 	



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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

for the property located at	11321	Glen	Arm	Road	<u> </u>
				d <u>RC-5</u>	······································

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)

To permit an existing single family dwelling with addition to have property line setbacks of 18' (east) and 24' (west) in lieu of the required 50'.

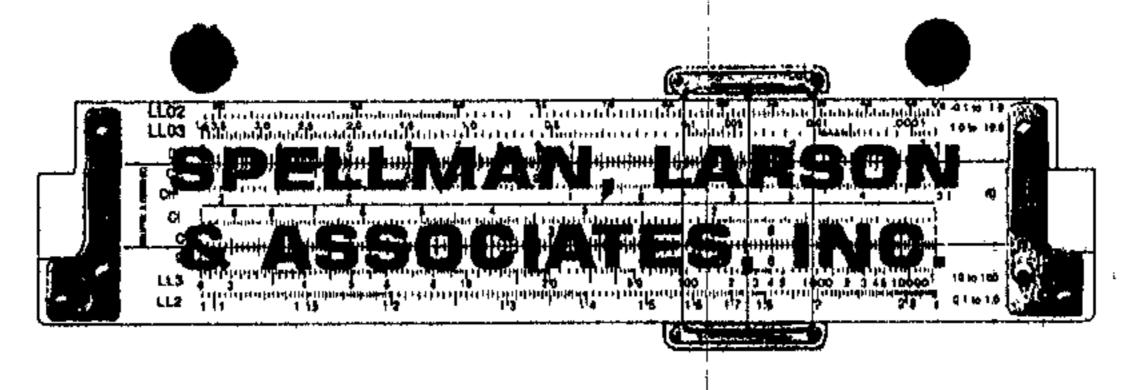
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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 of is the subject of this Petition.	wner(s) of the	property which
Contract Purchaser/L	.essee:		Legal Owner(s):	,	
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·		William M. Francis Jr Name - Type or Print	· <u> </u>	
Sign ature Not appli	icable		Signature Dawn M. Francis		
Address		Telephone No.	Name Type or Print . J	ann	<u> </u>
City	State	Zip Code	Signature	,	
Attorney For Petition	er:		11321 Glen Arm Road Address	410-6	61-3391 Telephone No.
			Glen Arm	MD	21057
Name - Type or Print		· · · · · · · · · · · · · · · · · · ·	City	State	Zip Code
		·	Representative to be Co	ontacted:	
Signature			Joseph L. Larson	•	
Not appli Company	cable		Name	· 	
Company			105 W. Chesapeake Ave	410	-823-3535
Address		Telephone No.	Address		Telephone No.
			Towson	MD	21204
City	State	Zip Code	City	State	Zip Code
A Public Hearing having beet this day of regulations of Baltimore County	y and that the proper	tied and/or found to be at the subject matter of the reposted.	required, it is ordered by the Zoning this petition be set for a public hearing, a Zoning Commissioner of	f Baltimore Cour	nty
CASE NO. OG	-120-1			ate 9-1	
REV 10/25/01		Est	timated Posting Date	-11-05	<u></u>





ROBERT E. SPELLMAN, P.L.S. JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS 105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

ZONING DESCRIPTION FOR ADMINISTRATIVE VARIANCE 11321 GLEN ARM ROAD 11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same in the center of Glen Arm Road 440 feet more or less easterly from the center line of Wagon Wheel Court and continuing along the center line of Glen Arm Road south 80 degrees 31 minutes 36 seconds east 72 feet, south 72 degrees 05 minutes 36 seconds east 78 feet, to a point on the center line of Glen Arm Road thence leaving the center line of Glen Arm Road for lines of division south 20 degrees 34 minutes 24 seconds west 18.2 feet, south 34 degrees 53 minutes 36 seconds east 27.05 feet, south 16 degrees 12 minutes 36 seconds east 23.63 feet, south 9 degrees 48 minutes 35 seconds east 134.82 feet, south 85 degrees 10 minutes 24 seconds west 73.92 feet, south 17 degrees 15 minutes 36 seconds east 181.78 feet, north 72 degrees 04 minutes 42 seconds east 20 feet, south 16 degrees 52 minutes 36 seconds east 157.97 feet, north 52 degrees 57 minutes 36 seconds west 112.28 feet, north 15 degrees 57 minutes 06 seconds west 479.9 feet, north 15 degrees 57 minutes 06 seconds west 27.65 feet to the place of beginning.

CONTAINING 1.0 acres of land more or less.

BEING the same plot of ground as shown on a Plat of Survey as prepared by CLSI dated 8/22/05.

August 31, 2005

File#D08310501



#1/29

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BALTINGRE COUNTY MARY LAND OFFICE OF BUDGET & FRANCE MISCELLANEOUS RECEIPT		malameda Territora			DISTRBUTION WANTE CASHIER
					DISTRIBUTION
A L L	3			8	

CERTIFICATE OF POSTING

777E	ENTION: KRISTEN MATTHEWS	Date Septembu 14, 2005
RE:	Case Number 06-129-A Petitioner/Developer: WILLIAM FR Date of Hearing/Closing. September	ANCIS/JOELARSON 126,2005
were	This is to certify under the penalties of perjurposted conspicuously on the property located	y that the necessary sign(s) required by law at 11321 GLEN ARM ROAD
	The sign(s) sosted on Sept	Ember 9, 2005 (Month, Day, Year)
		Signature of Sign Poster LINDA O KEFF (Printed Name of Sign Poster) 523 PENNY LANE (Street Address of Sign Poster) HUNT VALLEY MD 2103 (City, State, Zip Code of Sign Poster) 410-666-5366 (Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits & Development Management 111 W. Chesapeake Avenue, Rm. 111 Towson, MD 21204

Attention: Mrs. Kristen Matthews

Date: July 21, 2006 MAI Job No. : 06-129

RE: Case Number: 97-030-M

Petitioner/Developer: Moran Properties II,LLC

Date of Hearing/Closing:

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 14632 Manor Road

The sign(s) were posted on

July 20, 2008

(Month, Day, Year)

(Signature of Sign Poster)

SEE ATTACH PHOTOGRAPH OF SIGN POSTED ON PROPERTY William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.

5 Shawan Road, Suite 1

(Street Address of Sign Poster)

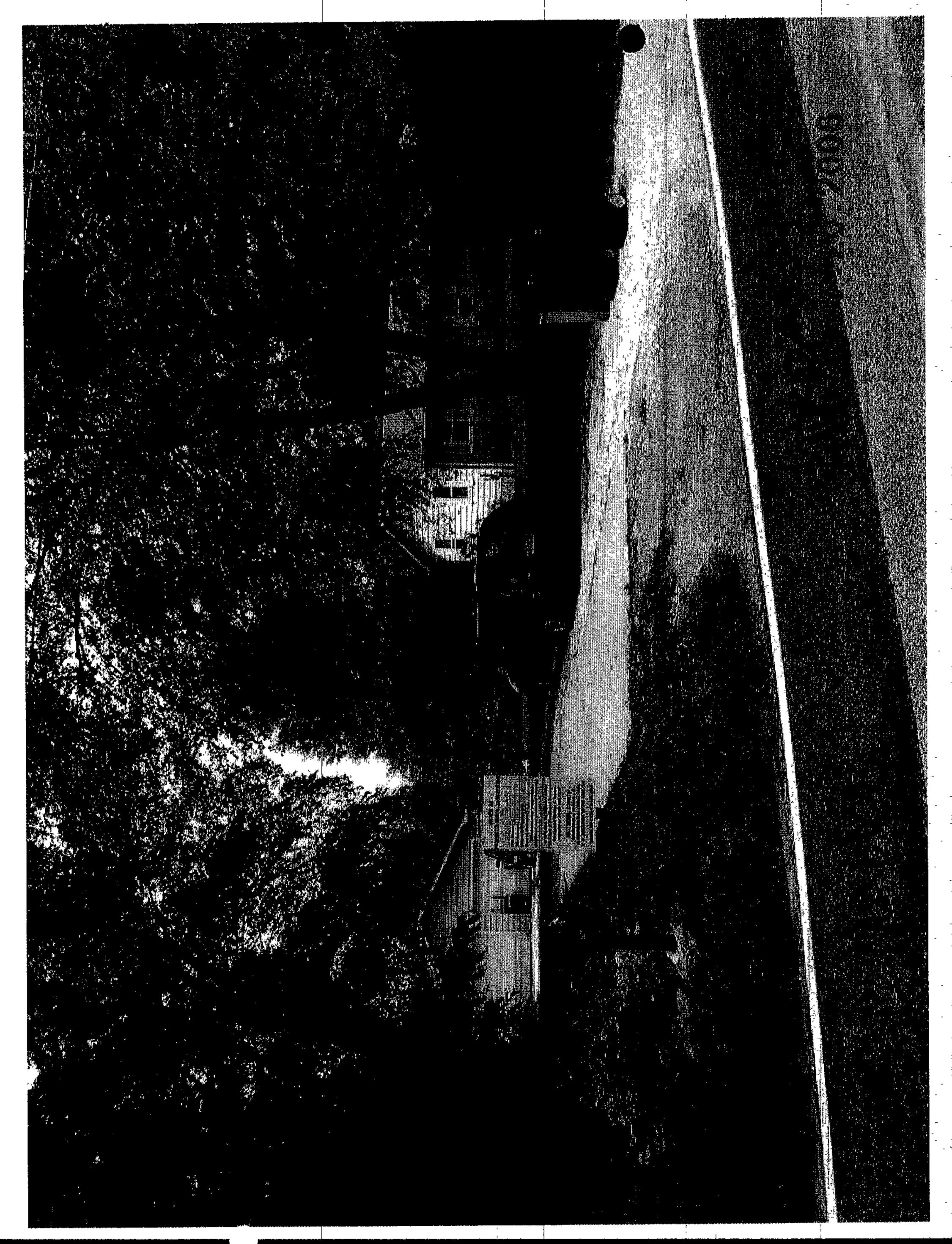
Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ



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: 06-129	- A
Petitioner: William & Dawn Fran	4-15
Address or Location: 11321 Glen Arm	r Pol.
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Mr. + Mrs Wm. Francis	
Address: 11321 Calen Arm Rd.	
Colen Arm, Md.	21057
Telephone Number: 410-661-339	71
i	

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 17 ウ	-A Addre	ess 11371	GLEN	ARM	RD
Contact Person: CIOYOT	Please Print Your Name	<u> </u>	Phone Numb	er: 410-8	87-3391
Filing Date: 4 105	•	e: 9/11/05	Closing	Date: 🔔	126/c
Any contact made with this of through the contact person (plan	fice regarding the s ner) using the case i	tatus of the ad	ministrative va	iriance sh	ould be
POSTING/COST: The perceiverse side of this form) reposting must be done of is again responsible for a property on or before the date.	and the petitioner in any by one of the signal associated costs.	s responsible fo in posters on the The zoning no	r all printing/p approved list tice sign must	osting cos and the period to the visible	ts. Any etitioner on the
2. DEADLINE: The closing a formal request for a public hearing	oublic hearing. Plea	ase understand	that even if t	here is no	
ORDER: After the closicommissioner. He may: order that the matter be (typically within 7 to 10 decied, or will go to public	(a) grant the request set in for a public ays of the closing da	ested relief; (b) on the hearing. You te) as to whether	deny the required will receive vertical terms of the petition	ested relie written not has been (ef; or (c) tification granted,
4. POSSIBLE PUBLIC HEA (whether due to a neight commissioner), notification changed giving notice of posted, certification of this this office.	nbor's formal reques on will be forwarded the hearing date, tim	t or by order of the location. tograph of the al	of the zoning sign on the As when the	or deputy property∃r sign was c	zoning must be originally
Petitioner: This Part of the Fo] [*] 	. 	1 	
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Case Number 06- 12の -/ Petitioner's Name <u>WILLIA</u>		1	elephone 40		1
Posting Date: 9/11/05		Closing Date:	· [a		<u> </u>
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B' (EAST) AND Z4'	•			i	
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BALTIMORE COUNT	Y DEPARTMENT OF PERM	AITS AND DEVELOPM			•

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

September 26, 2005

William M. Francis
Dawn M. Francis
11321 Glen Arm Road
Glen Arm, Maryland 21057

Dear Mr. and Mrs. Francis:

RE: Case Number: 06-129-A, 11321 Glen Arm Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 1, 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, Dela Call Richard De

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Joseph Larson 105 W. Chesapeake Avenue Towson 21204



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

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

September 13, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of September 19, 2005

Item No. 126,128 129,130,132,133,136, and 137.

Pursuant to your request, the above referenced plan(s) have been reviewed by this Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Department has no comments at this time.

If you have any questions contact my office.

Acting Lt. Warren T. Moffitt Fire Marshal's Office 410-887-4880 MS-1102F

Cc:file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: September 19, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 26, 2005

Item Nos. 126, 128, 129, 130, 132, 133, 134 and 135

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-09192005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

PATE: September 26, 2005

SEP 2:7 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 6-129 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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL







Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date:

9.13.05

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

RE:

Baltimore County
Item No. 129

Dear. Ms. Matthews:

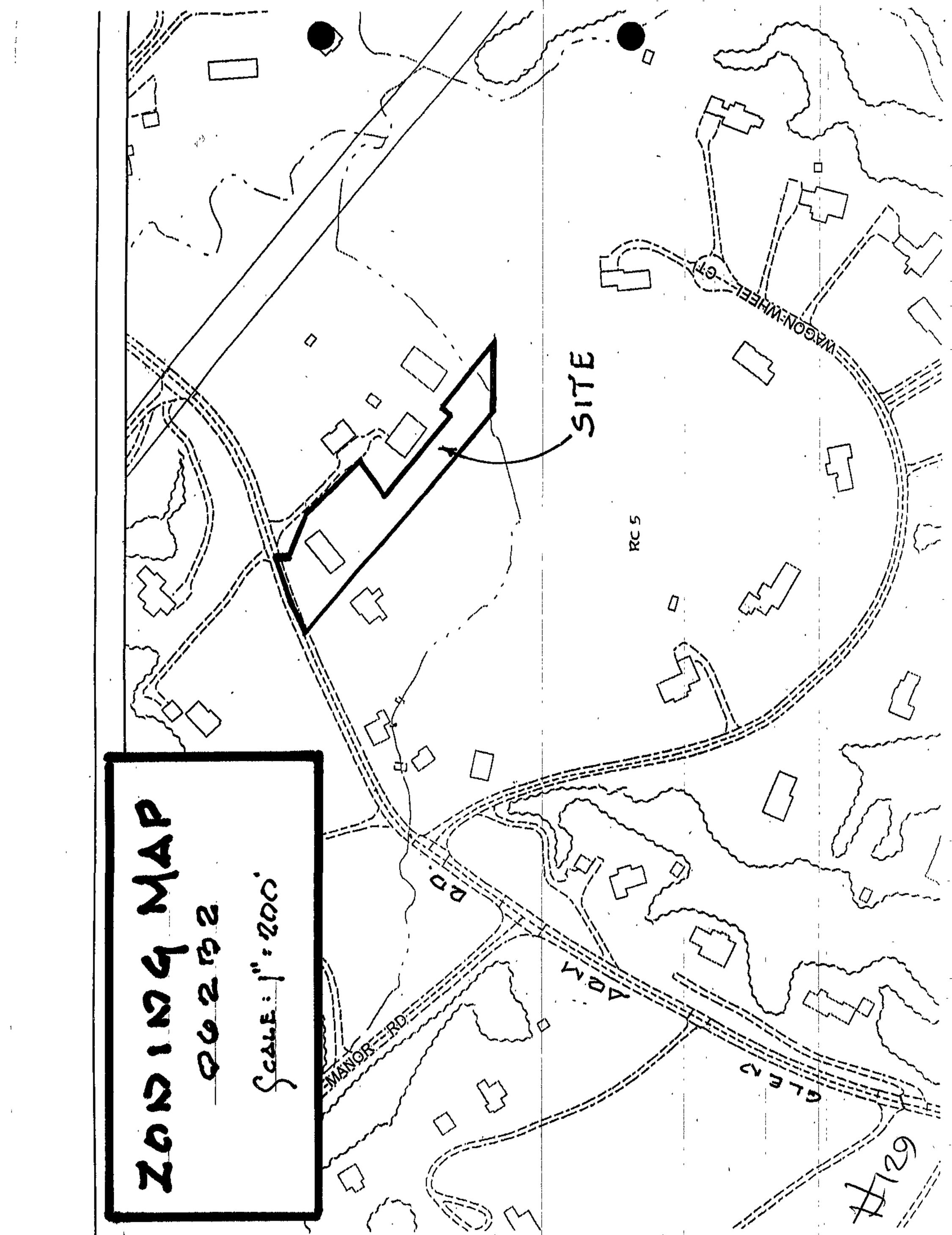
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

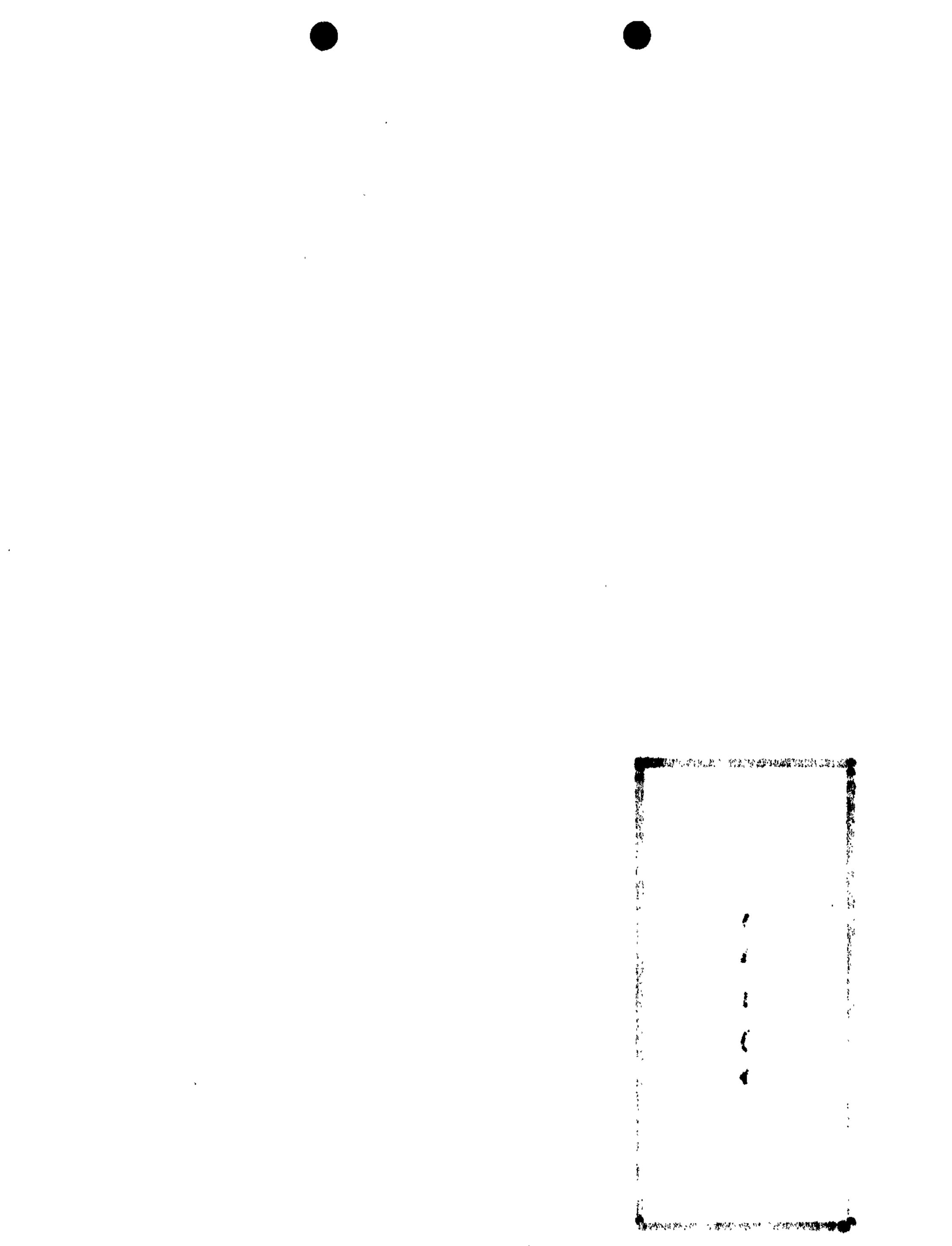
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

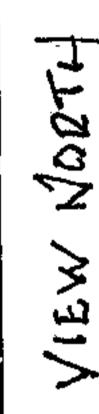
Very truly yours,

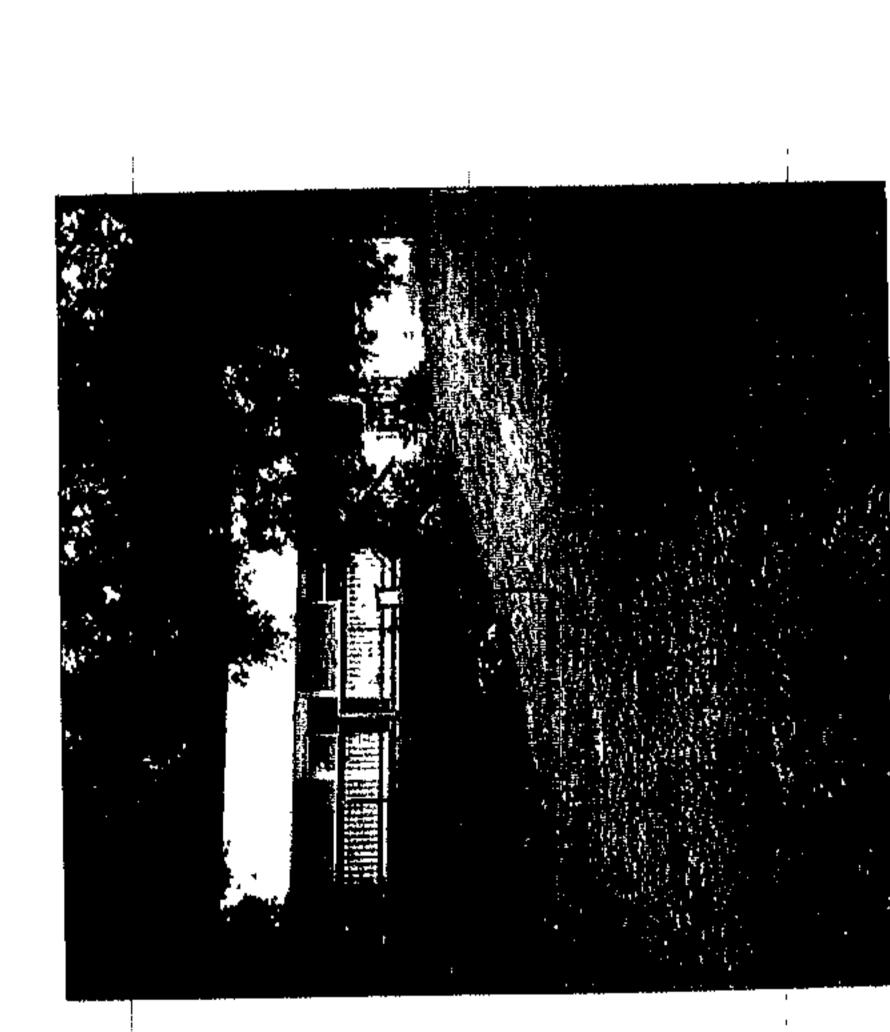
Steven D. Foster, Chief

Engineering Access Permits Division









SOUTHEAST

