IN RE: **PETITION FOR ADMIN. VARIANCE**	*	BEFORE THE
SW/S Glencoe Manor Court, 598' SW of the c/l		
Lower Glencoe Road	*	ZONING COMMISSIONER
(6 Glencoe Manor Court)		
8th Election District	*	OF BALTIMORE COUNTY
3rd Council District		
	*	Case No. 06-248-A
John W. Guckert, et ux		
Petitioners	*	

* * * * * * * * * * *

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, John W. Guckert and his wife, Antoinette M. Guckert, through their attorney, Lawrence E. Schmidt, Esquire. The Petitioners seek relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side lot line setback of 29 feet in lieu of the minimum required 50 feet for a proposed garage addition and an amendment to the 1st Amended Final Development Plan for Glencoe Manor, Lot 14, only. 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, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may 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 Code. 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.

ORDER RECEIVED FOR FILING
Date 12/13/15
By

Based upon the documentation contained therein, I am persuaded to grant the requested variance. Relief is necessitated given the unique configuration of the property and the layout and location of the existing dwelling. There were no adverse comments submitted by any County reviewing agency, and none of the neighbors voiced any objection. Thus, I find that relief can be granted and that there will be no detriment to adjacent properties, or the health, safety or general welfare of the surrounding community.

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 13th day of December 2005, that the Petition for Administrative Variance seeking relief Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side lot line setback of 29 feet in lieu of the minimum required 50 feet for a proposed garage addition, and to amend the 1st Amended Final Development Plan for Glencoe Manor, Lot 14, only, 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, Petitioners are hereby made aware that proceeding at this time is at his 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

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

12/13/05

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

December 12, 2005

WILLIAM J. WISEMAN III
Zoning Commissioner

Lawrence E. Schmidt, Esquire
Gildea & Schmidt
300 E. Lombard Street
Baltimore, Maryland 21202

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
SW/S Glencoe Manor Court, 598' SW of the c/l Lower Glencoe Road
(6 Glencoe Manor Court)
8th Election District – 3rd Council District
John W. Guckert, et ux - Petitioners
Case No. 06-248-A

Dear Mr. Schmidt:

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.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. John W. Guckert
6 Glencoe Manor Court, Sparks, Md. 21152-9312
People's Counsel; Case File

FLOOD

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6 Glencoe Manor Court

which is presently zoned R.C.7 (RC-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)

~~1A04.3.B.2.b~~ - To permit a setback of 29' feet from the lot line in lieu of the required 50 feet. And to amend the 1st Amended FDP of Glencoe Manor Lot ~~#~~ 14 only.

~~1A 08.6.B.5.a(3)~~

1A04.3.B.2.b

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

John W. Guckert
Name - Type or Print

Signature

Antoinette M. Guckert
Name - Type or Print

Antoinette M. Guckert
Signature

6 Glencoe Manor Court — (410) 931-6600
Address — Telephone No.

Sparks, MD 21152-9312
City — State — Zip Code

Attorney For Petitioner:

David K. Gildea
Name - Type or Print

Signature David K. Gildea

Gildea & Schmidt, LLC
Company

300 E. Lombard Street — (410) 234-0070
Address — Telephone No.

Baltimore, MD 21202
City — State — Zip Code

Representative to be Contacted:

David K. Gildea
Name

300 E. Lombard Street — (410) 234-0070
Address — Telephone No.

Baltimore, MD 21202
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. 06-248-A **Reviewed By** JF **Date** 11/7/05

REV 9/15/98

Estimated Posting Date 11-28-05

ORDER RECEIVED FOR FILING
Date 11/3/05
By

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 6 Glencoe Manor Court
Address
Sparks, MD 21152-9312
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):

Based upon the irregular shape of the referenced property, we are presented with a unique situation. A strict application of the Zoning Regulations would create an undue hardship. Proposed garage/addition is attached to dwelling by breezeway + can only be located where proposed due to layout of dwelling + property configuration.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

John W. Guckert
Name - Type or Print

Antoinette M. Guckert
Signature

Antoinette M. Guckert
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of October, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared John W. and Antoinette M. Guckert the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

10/5/05
Date

Notary Public

My Commission Expires 10/22/05

REV 09/15/98

Zoning Description for 6 Glencoe Manor Court, Baltimore, MD 21152

Beginning at a point on the South West side of Glencoe Manor Court which is 50 feet wide at a distance of 598 feet South West of the centerline of the nearest improved intersection street Lower Glencoe Road which is 60 feet wide. Being lot # 14 in the subdivision of Glencoe Manor as records in Baltimore County Plat Book # 56, Folio # 86 containing 4.2186 acres more or less. Also know as 6 Glencoe Manor Court and located in the 8th Election District, 3rd Councilmanic District.

248

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1028

DATE 11/7/05 ACCOUNT 001-006-6150

AMOUNT $ 115.00

RECEIVED FROM: Gildea & Schmidt LLC
6 Glencoe Manor Ct

FOR: Admin. Var. ITEM # 248

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE	ACTUAL TIME	DRW
11/08/2005	11/07/2005 09:32:15	1

REG WS01 WALKIN DRW TWR
>RECEIPT # 240345 11/07/2005 OPLM
Dept 15 SDI ZONING VERIFICATION
CR NO. 001028
Rcpt Tot 115.00 CK
$115.00 CK 0.00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-248-A

Petitioner/Developer: JOHN & ANTOINETTE GUCKERT

Date of Hearing/Closing: 12-5-05

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

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:

6 GLENCOE MANOR CT

The sign(s) were posted on 11-20-05
(Month, Day, Year)

Sincerely,

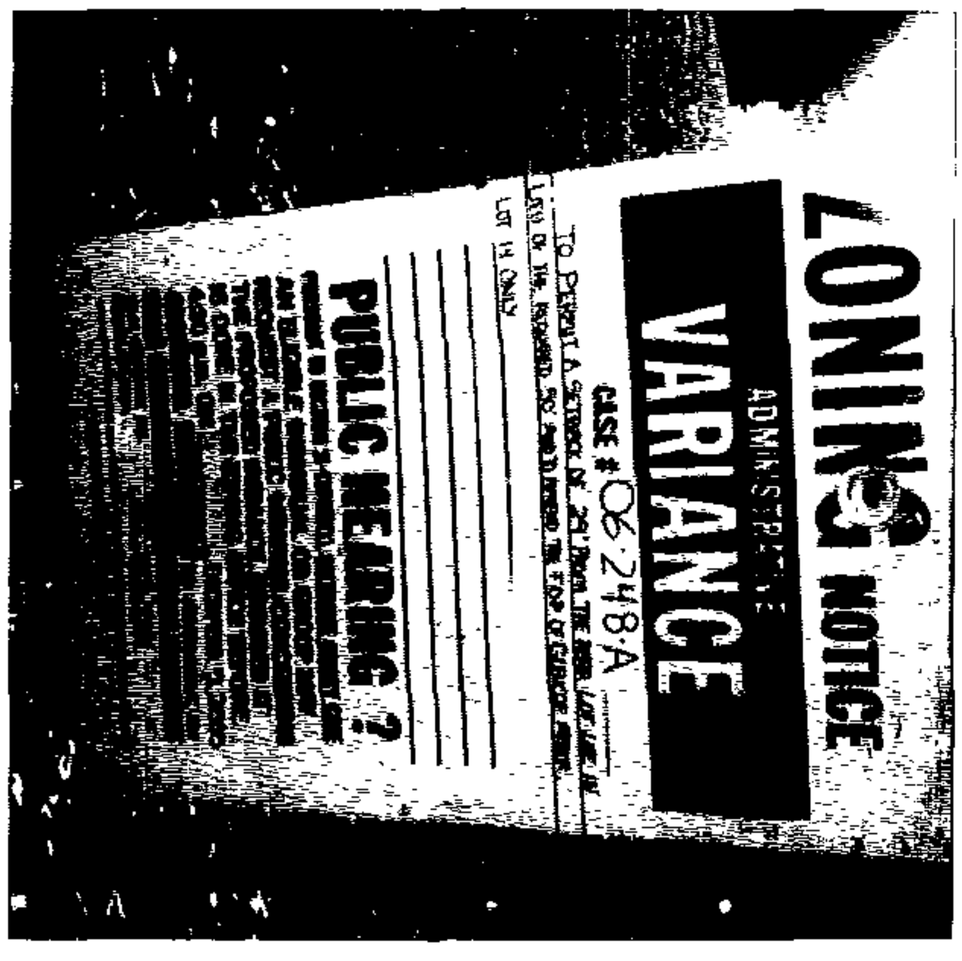
Robert Black 11-21-05
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)



6 GLENCOE MANOR CT

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 06-248-A

Petitioner John & Antoinnette M. Guckert

Address or Location 6 Glencoe Manor Ct.

PLEASE FORWARD ADVERTISING BILL TO

Name Lawrence Schmidt

Address ~~Six Gkton~~ 300 E. Lombard St.
Baltimore, Md.

Telephone Number 410-234-0070

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-248 -A Address 6 GLENCOE MANOR CT.

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11-7-05 **Posting Date:** 11-20-05 **Closing Date:** 12-5-05

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 06-248 -A Address 6 GLENCOE MANOR CT.

Petitioner's Name John & Antoinnete Guckert Telephone 410-931-6600

Posting Date: 11-20-05 **Closing Date:** 12-5-05

Wording for Sign: To Permit a setback of 29' from the rear lot line in lieu of the required 50' And to amend the FDP of Glencoe Manor, Lot 14 only.

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

December 5, 2005

David K. Gildea
Gildea & Schmidt
300 E. Lombard Street
Baltimore, Maryland 21202

Dear Mr. Gildea:

RE: Case Number: 06-248-A, 6 Glencoe Manor Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 7, 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
John W. and Antoinete M. Guckert 6 Glencoe Manor Court Sparks 21152

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 28, 2005

RECEIVED

NOV 3 0 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-248- 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: Curtis Murray

Division Chief: Lyn Lanham

CM/LL

W \DEVREV\ZAC\6-248.doc

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

November 15, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: November 7, 2005

Item No.: 243, 244, 245, 246, 247, 248, 249.

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.

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

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

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: 11·15·05

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

RE: Baltimore County
Item No. 248 JRF

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 23, 2005

RECEIVED

NOV 29 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Committee Meeting
For November 14, 2005
Item Nos: 244, 245, 246, 248, and 249

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-11232005.doc

RUBELING & ASSOCIATES, INC.
ARCHITECTURE
INTERIOR DESIGN

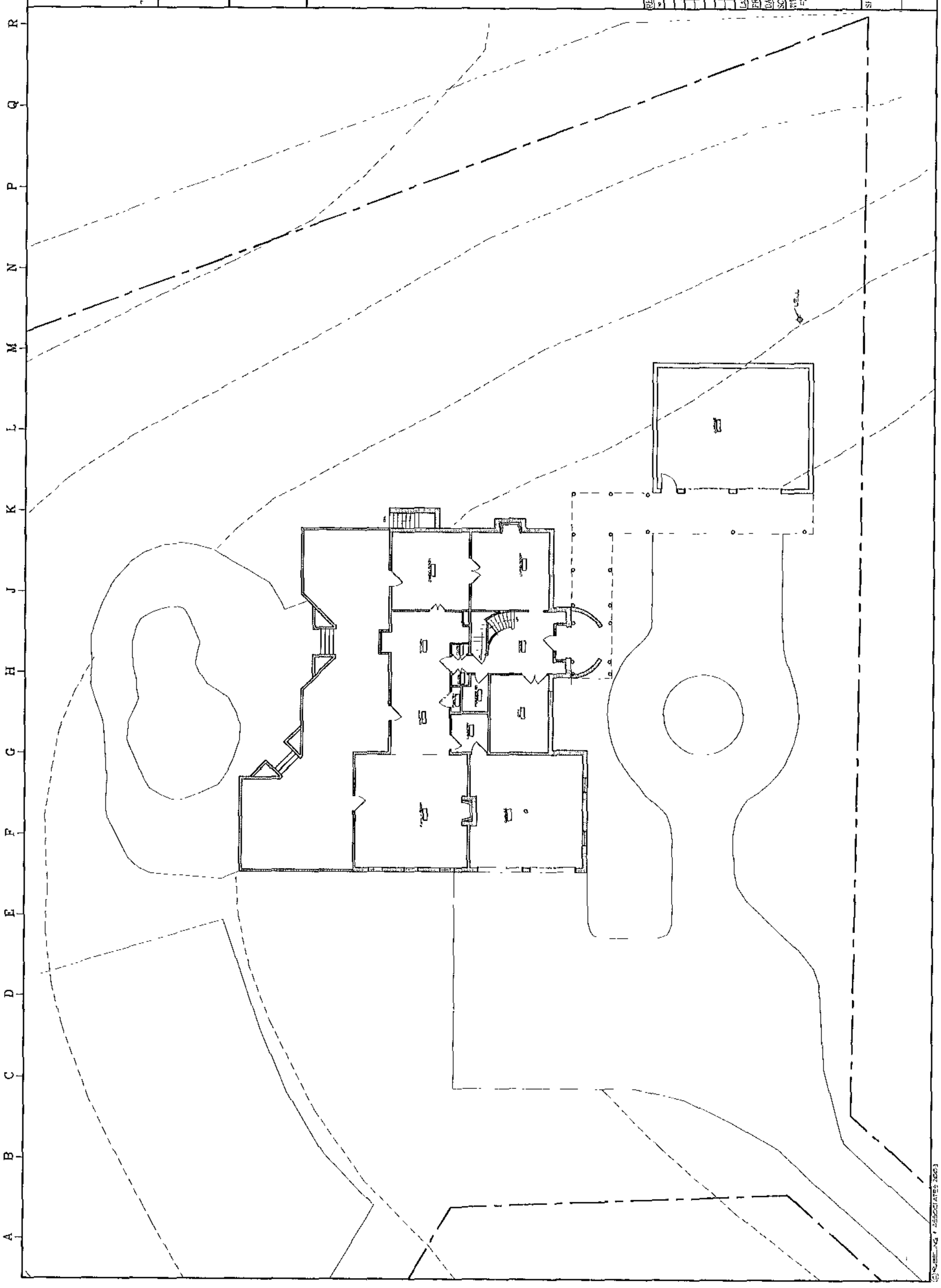
GUCKERT RESIDENCE

LOT 14, GLENCOE MANOR
BALTIMORE COUNTY

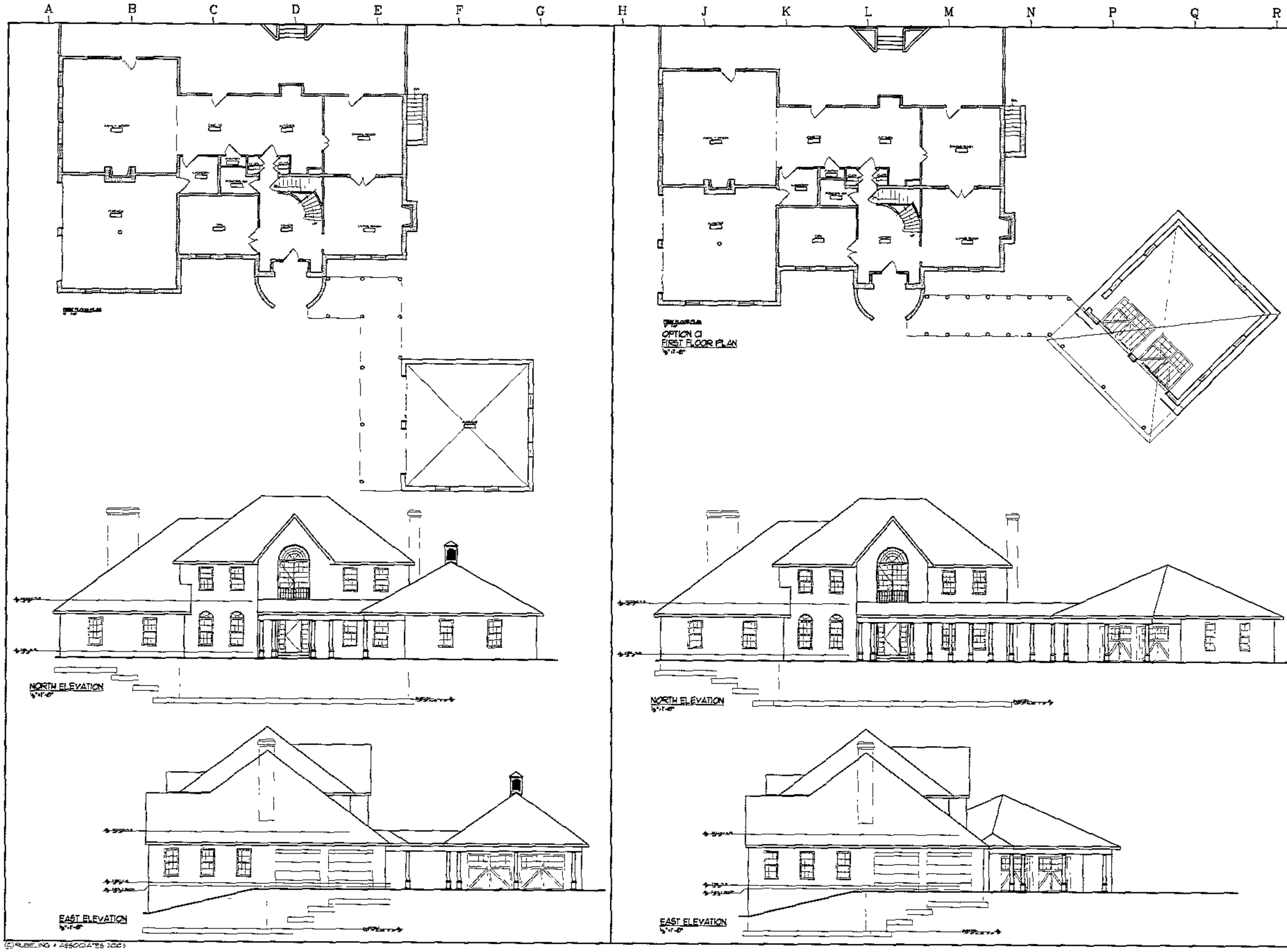
REVISIONS

LAST REV.
PROJECT NO. 02-044
DATE 8/26/03
SCALE 1/4" = 1'-0"
TITLE FLOOR PLAN

SHEET A1.02



© RUBELING & ASSOCIATES 2003



RUBELING
& ASSOCIATES, INC.
ARCHITECTURE
INTERIOR DESIGN

401 JEFFERSON AVENUE
TOWSON MARYLAND 21204-4004
410-321-7406
FAX 410-337-2974

GUCKERT RESIDENCE

101 14, GLENCOE MANOR
BALTIMORE COUNTY

REVISIONS

#	DESCRIPTION	DATE

LAST REV
PROJECT NO 23-044
DATE 5/02/23
SCALE 1/4 = 1'-0"
TITLE
ELEVATIONS
OPTION C1 & C

SHEET
A
104

© RUBELING & ASSOCIATES 2001

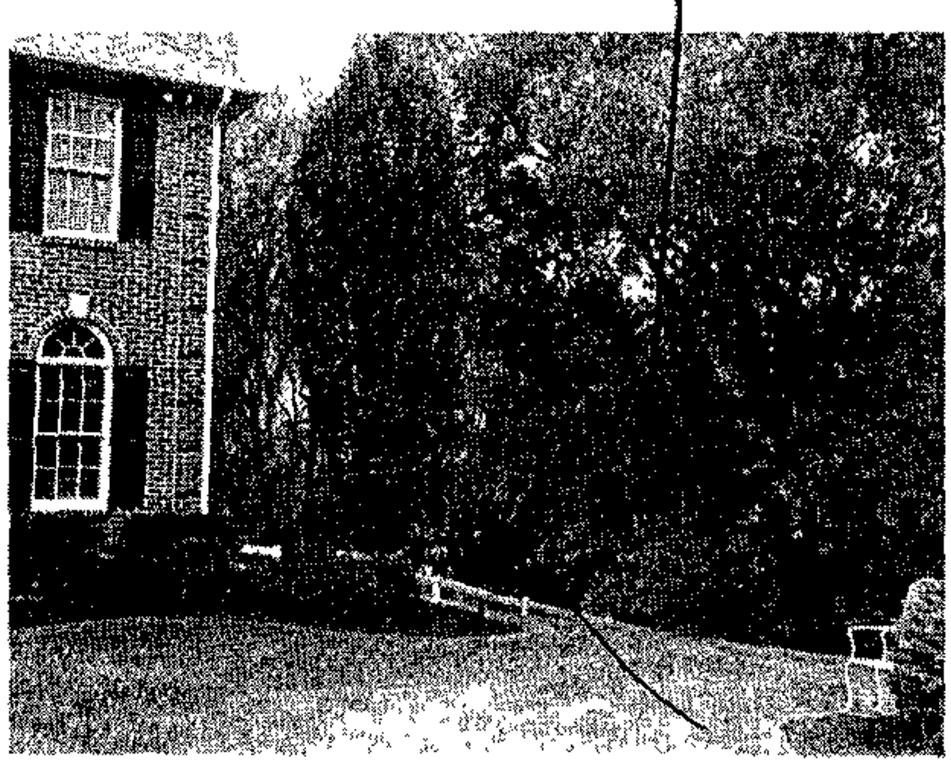
GARAGE

GARAGE

LOOKING FROM #6 TO #8
GLENCOE MANOR CT

LOOKING FROM #6 TO #8
GLENCOE MANOR CT

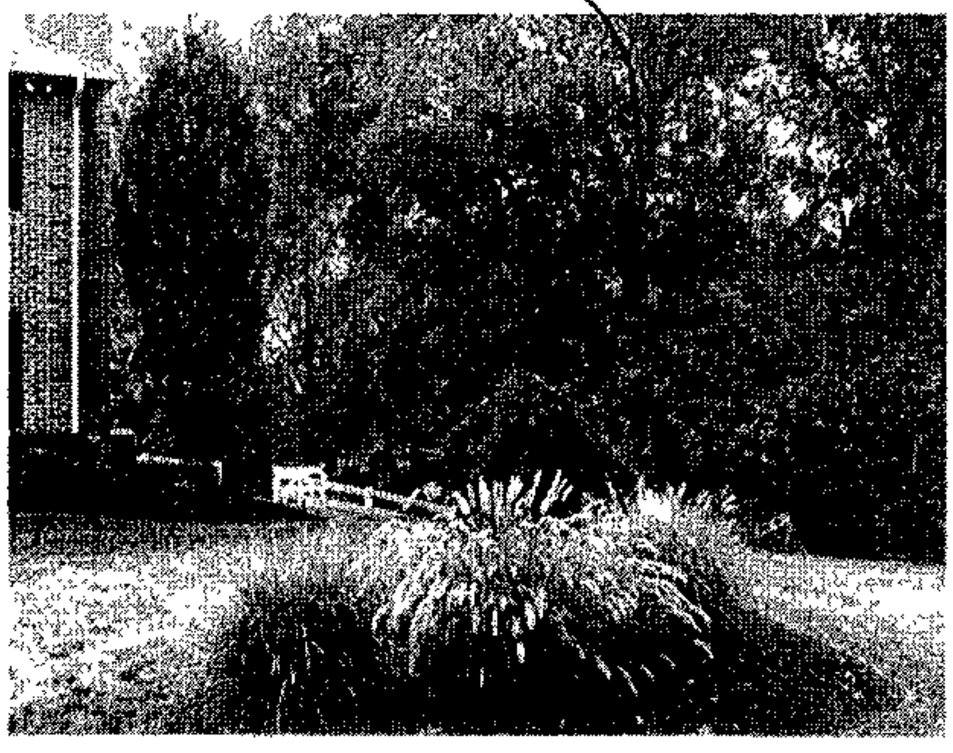
GARAGE



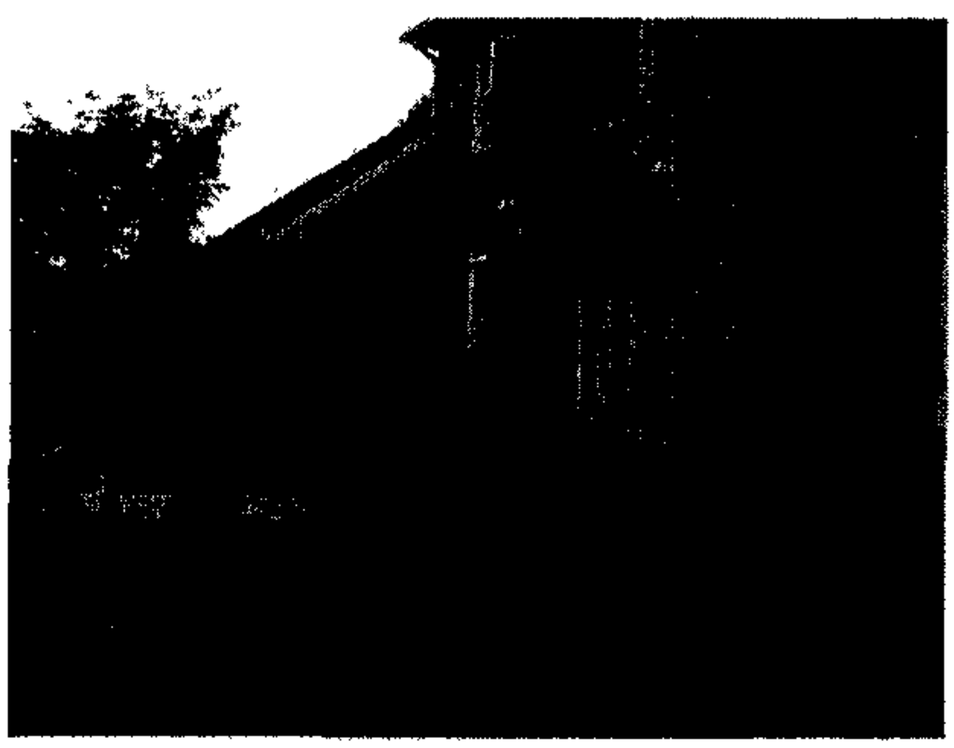
GARAGE

#248

GARAGE



LOOKING FROM GARAGE TO #8 GLENCOE



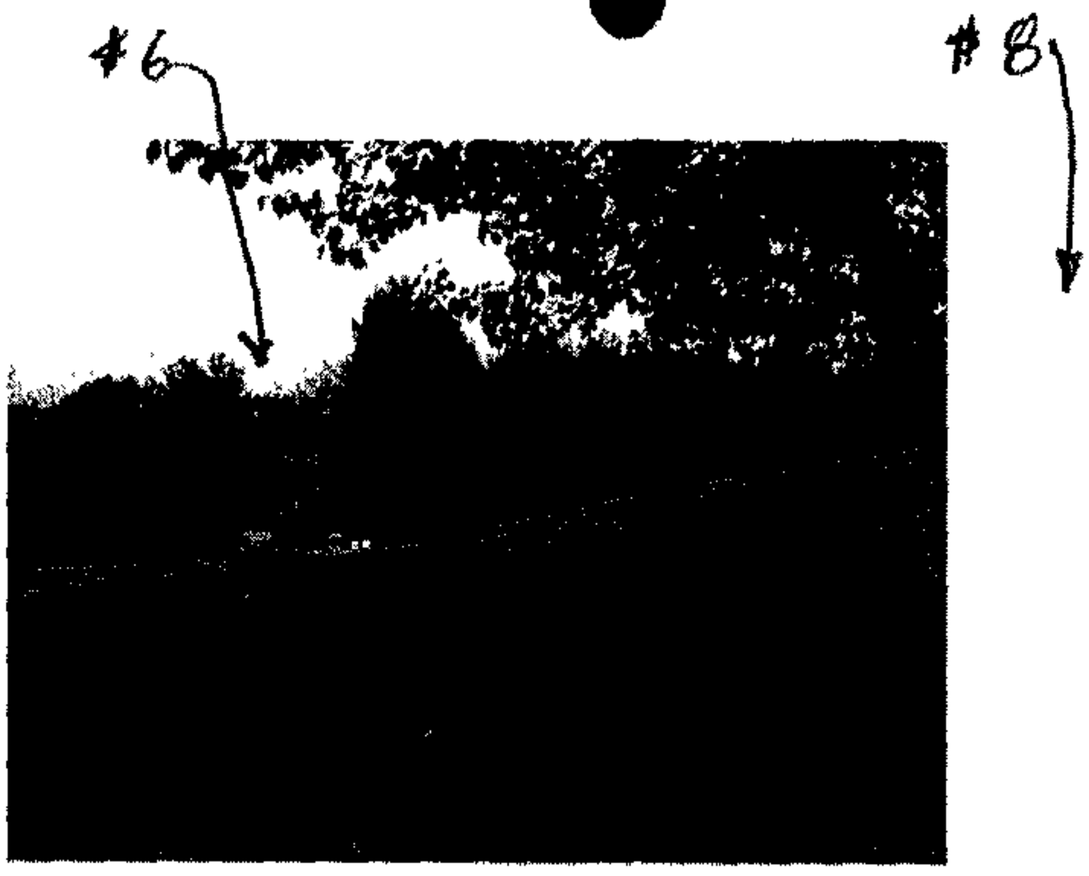
#6 GLENCOE

#8 GLENCOE

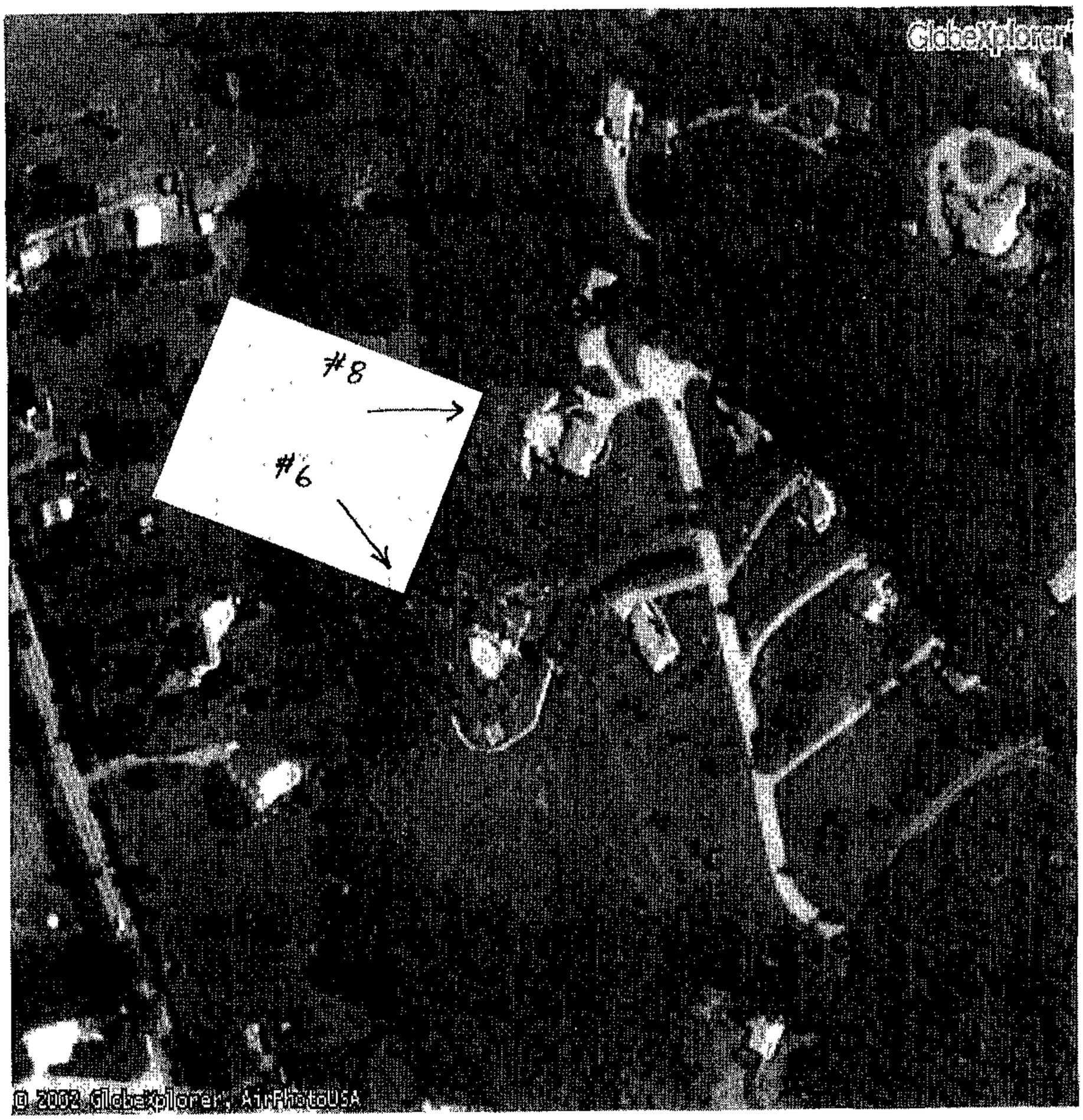
#6

#8

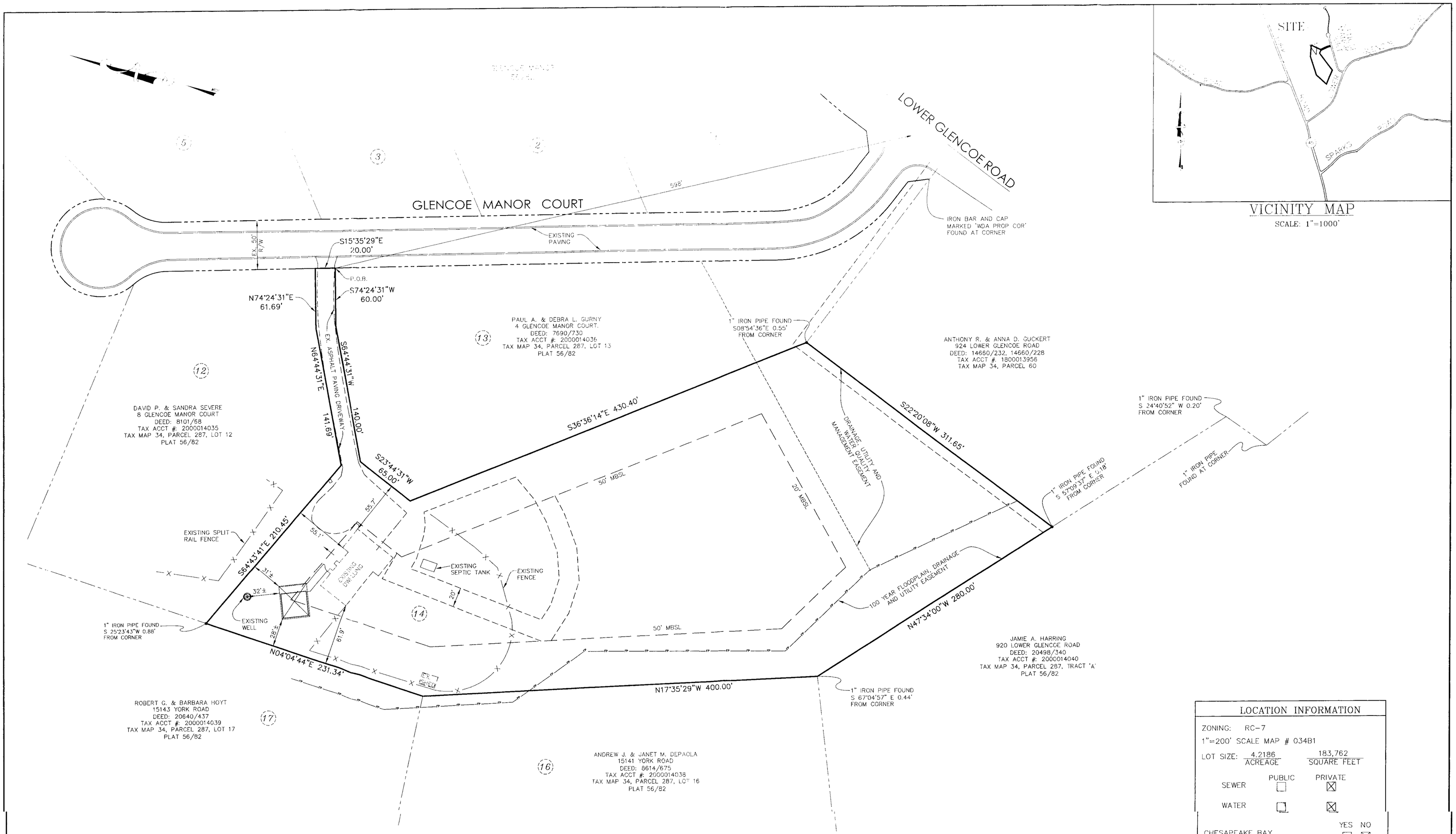
#248



出 248



248



VICINITY MAP
SCALE: 1"=1000'

LOCATION INFORMATION		
ZONING: RC-7		
1"=200' SCALE MAP # 034B1		
LOT SIZE: 4.2186 ACREAGE	183,762 SQUARE FEET	
	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒
	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☒	☐
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	N.A.	

STATE OF MARYLAND
G. DWIGHT LITTLE
No. 11000
PROFESSIONAL ENGINEER
PROFESSIONAL REGISTERED

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

OWNER
JOHN W. & ANTOINETTE M. GUCKERT
6 GLENCOE MANOR COURT
DEED: 7734/584
TAX ACCT. #: 2000014037
TAX MAP: 34 PARCEL: 287, LOT 14
PLAT 56/82

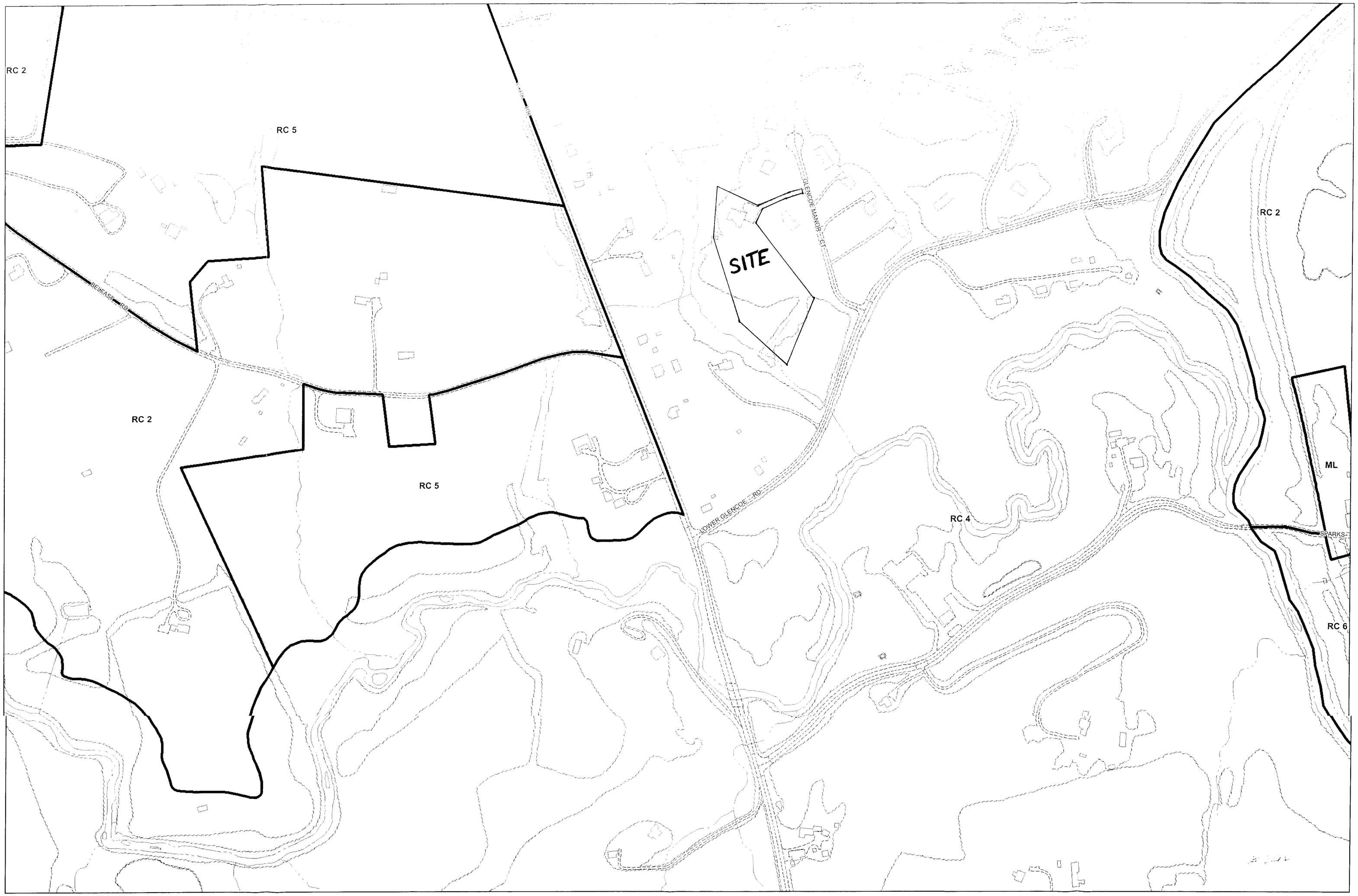
PROPERTY ADDRESS 6 GLENCOE MANOR COURT
SUBDIVISION NAME GLENCOE MANOR
PLAT BOOK # 56 FOLIO # 82 LOT # 14 SECTION # –
OWNER JOHN W. & ANTOINETTE M. GUCKERT

PLAN TO ACCOMPANY ZONING PETITION
GUCKERT RESIDENCE

DISTRICT 08c3
SCALE: 1"=50'

BALTIMORE COUNTY, MD
OCTOBER 17, 2005

311



Plan Sheet: *034B1*

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

Buildings — Streams — Vegetation
Zoning — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

027C3	028A3	028B3	028C3	029A3
033C1	034A1	034B1	034C1	035A1
033C2	034A2	034B2	034C2	035A2

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