

IN RE: **PETITION FOR ADMIN. VARIANCE** \* BEFORE THE  
 S/S Aaron Mee Way, 500' W of the c/l \*  
 Hospital Drive \* ZONING COMMISSIONER  
**(6612 Aaron Mee Way)** \*  
 14<sup>th</sup> Election District \* OF BALTIMORE COUNTY  
 6<sup>th</sup> Council District \*  
 \* Case No. 06-292-A  
 Myung Sup Lee & Young Ja Lee \*  
 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, Myung Sup Lee and Young Ja Lee. The Petitioners seek relief from Sections 1B02.3.C.1 (Chart) and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 18' in lieu of the minimum required 22½' for a proposed open projection (deck), and to amend the Final Development Plan of Lennings Crossing, Lot 30, only, accordingly. The subject property and requested relief are more particularly described on the site plan submitted and marked into evidence 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 Petitioner has 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 11/10/06

By [Signature]



Based upon the information contained therein, I am persuaded to grant the variance. Relief is necessitated given the small size of the property and the location of existing improvements thereon. As shown on the site plan, the existing house is located 30 feet from the rear property line. Thus, the construction of any deck of practical size to the rear of the home would require variance relief. There were no adverse comments submitted by any County reviewing agency and none of the neighbors voiced any opposition. Thus, it appears that relief can be granted and that there will be no detrimental impact to adjacent properties.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of January 2006 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.C.1 (Chart) and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 18' in lieu of the minimum required 22½' for a proposed open projection (deck), and to amend the Final Development Plan of Lennings Crossing, Lot 30, 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, 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.



WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING  
Date 1/10/06  
By [Signature]





# Petition for Administrative Variance + TO AMEND THE FDP OF LUNNINGS CROSSING. to the Zoning Commissioner of Baltimore County

for the property located at 6612 AARON MEE WAY  
which is presently zoned DZ3.5

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) 1802.3.C.1 AND 301.1.BC22,

TO PERMIT A DECK WITH A REAR YARD SETBACK OF 18 FT.  
IN LIEU OF THE REQUIRED 22.5 FT. AND TO AMEND THE  
FINAL DEVELOPMENT PLAN OF LUNNINGS CROSSING.

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

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

## Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

## Representative to be Contacted:

Name

Address

City

State

Zip Code

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

Reviewed By [Signature]

Date

12.7.05

Estimated Posting Date

12.18.05

NO. 66-292 A

REV 10/25/01

ORDER RECEIVED FOR FILING  
Date 12/10/05  
By [Signature]



# 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 6612 AARON MEE WAY  
Address  
ROSEDALE, MD 21237  
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. The purpose of our deck will be to entertain family relatives and friends consisting of both younger children (including infants) and senior citizens. A deeper deck than the currently permitted 25% of 30ft (7.5ft) will allow for us to accommodate the large groups of guests we anticipate.
2. During barbecue cookouts, a deeper deck will alleviate safety and health concerns related to proximity of children to grilling equipment and smoke.
3. Financially, a deeper deck will give us better leverage with our contractor, speeding up the project and ensuring that it is given priority.

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]  
Signature  
MYUNG SUP LEE  
Name - Type or Print

[Signature]  
Signature  
YOUNG JA LEE  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6<sup>TH</sup> day of DECEMBER, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MYUNG SUP LEE & YOUNG JA LEE  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s)

AS WITNESS my hand and Notarial Seal

[Signature]  
Notary Public  
My Commission Expires 07-01-2009



# EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - **DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"**. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 6612 AARON MEE WAY  
(address)

Beginning at a point on the SW side of  
(north, south, east or west)

AARON MEE WAY which is 50'  
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 470 NW of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street LENNINGS LANE  
(name of street)

which is 50 R/W wide. \*Being Lot # 30  
(number of feet of right-of-way width)

Block \_\_\_\_\_, Section # \_\_\_\_\_ in the subdivision of LENNINGS CROSSING  
(name of subdivision)

as recorded in Baltimore County Plat Book # 76, Folio # 23,

containing 6207~~6~~. Also known as 6612 AARON MEE WAY  
(square feet or acres) (property address)

and located in the 14 Election District, 6 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_, Folio \_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87 2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

292

No. 1599

DATE 12-7-05 ACCOUNT 201-006-6150

AMOUNT \$ 115.00

RECEIVED FROM: Myrtle Lee 6612 Ave

FOR: 1102 65 1109

Amount FDB 50  
115

DISTRIBUTION  
WHITE - CARRIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED ACTUAL TIME  
12/08/2005 12/07/2005 10:30:59  
REID 4304 MOUNTAIN VIEW  
MISCELLANEOUS RECEIPT 12/07/2005 0718  
Dept 5 528 JOURNAL VERIFICATION  
OF MD. 001599

Receipt Tot 115.00  
1.00 OK 115.00 CA  
Baltimore County, Maryland

CALIFORNIA'S VALIDATION



# CERTIFICATE OF POSTING

Date: 12/18/05

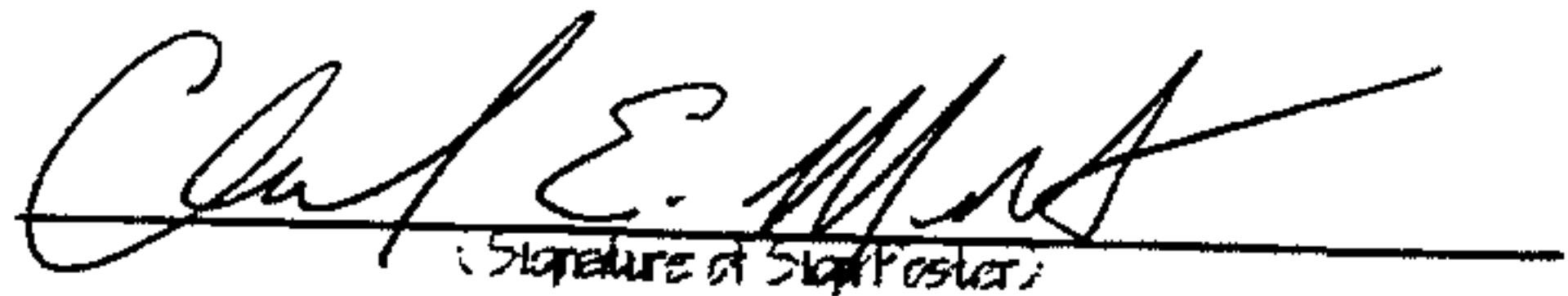
RE: Case Number: 06-292-A

Petitioner/Developer: MYUNG LEE

Date of Hearing/Closing: 1/2/06

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 6612 AARON MEE WAY

The sign(s) were posted on 12/18/05  
(Month, Day, Year)

  
(Signature of Sign Poster)

Charles E. Merritt  
9831 Madledt Road  
Baltimore, MD 21234  
410-665-5562



# ZONING NOTICE

ADMINISTRATIVE

## VARIANCE

NO. 06-2724

VARIANCE OF ZONING ORDINANCE

NO. 06-2724

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BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 06- 292 -A Address 6612 Aaron Mee Way  
Contact Person: J. Merrey Phone Number: 410-887-3391  
Planner, Please Print Your Name  
Filing Date: 12-7-05 Posting Date: 12-18-05 Closing Date: 1-2-06

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- 292 -A Address 6612 Aaron Mee Way  
Petitioner's Name Myung LEE Telephone 410-682-3375  
Posting Date: 12-18-05 Closing Date: 1-2-06  
Wording for Sign: A VARIANCE  
To Permit A DECK WITH A REAR YARD SETBACK  
of 18ft in lieu of the required 22.5 ft.  
AND TO AMEND THE FINAL DEVELOPMENT PLAN OF  
LENNINGS CROSSING.

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/neighborhood 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 292

Petitioner Myung Sup LEE

Address or Location 6612 Aaron Mer Way Roseville, Md. 21237

PLEASE FORWARD ADVERTISING BILL TO

Name Same

Address Same

Telephone Number 410-682-3375



**Department of Permits &  
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*

January 2, 2006

Myung Sup Lee  
Young Ja Lee  
6612 Aaron Mee Way  
Rosedale, Maryland 21237

Dear Mr. and Mrs. Lee:

RE: Case Number: 06-292-A, 6612 Aaron Mee Way

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

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel







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

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

Maryland Department of Transportation

Date: 12.9.05

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

RE: Baltimore County  
Item No. 292 JCM

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](mailto:lgredlein@sha.state.md.us)).

Very truly yours,

Steven D. Foster, Chief  
Engineering Access Permits Division





Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

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

December 15, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: **December 05, 2005**

Item No.: **281, 287-293**

292

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.

Lieutenant J.D. Mezick  
Fire Marshal's Office  
410-887-4880  
MS-1102F

cc: File





**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** December 16, 2005

**FROM:** <sup>DK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For December 12, 2005  
Item Nos. 281, 287, 288, 291, 292, 293

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-12162005.doc





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

January 10, 2006

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

Myung Sup Lee & Young Ja Lee  
6612 Aaron Mee Way  
Rosedale, Maryland 21237

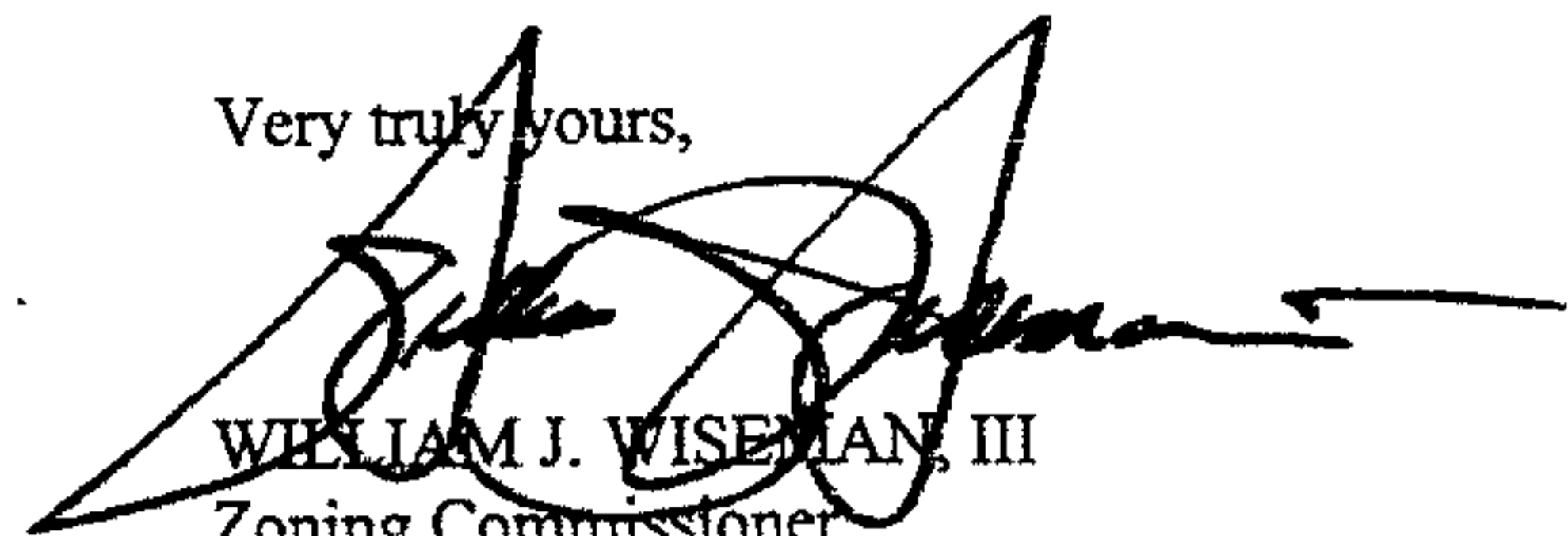
**RE: PETITION FOR ADMINISTRATIVE VARIANCE**  
S/S Aaron Mee Way, 500' W of the c/l Hospital Drive  
(6612 Aaron Mee Way)  
14<sup>th</sup> Election District – 6<sup>th</sup> Council District  
Myung Sup Lee & Young Ja Lee - Petitioners  
Case No. 06-292-A

Dear Mr. & Mrs. Lee:

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: People's Counsel; Case File



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** December 20, 2005

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

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 6-292- 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 Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL



# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 6612 ARROW MEE WAY

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME LENNING'S CROSSING

PLAT BOOK # 26 FOLIO # 23 LOT # 30 SECTION # 1

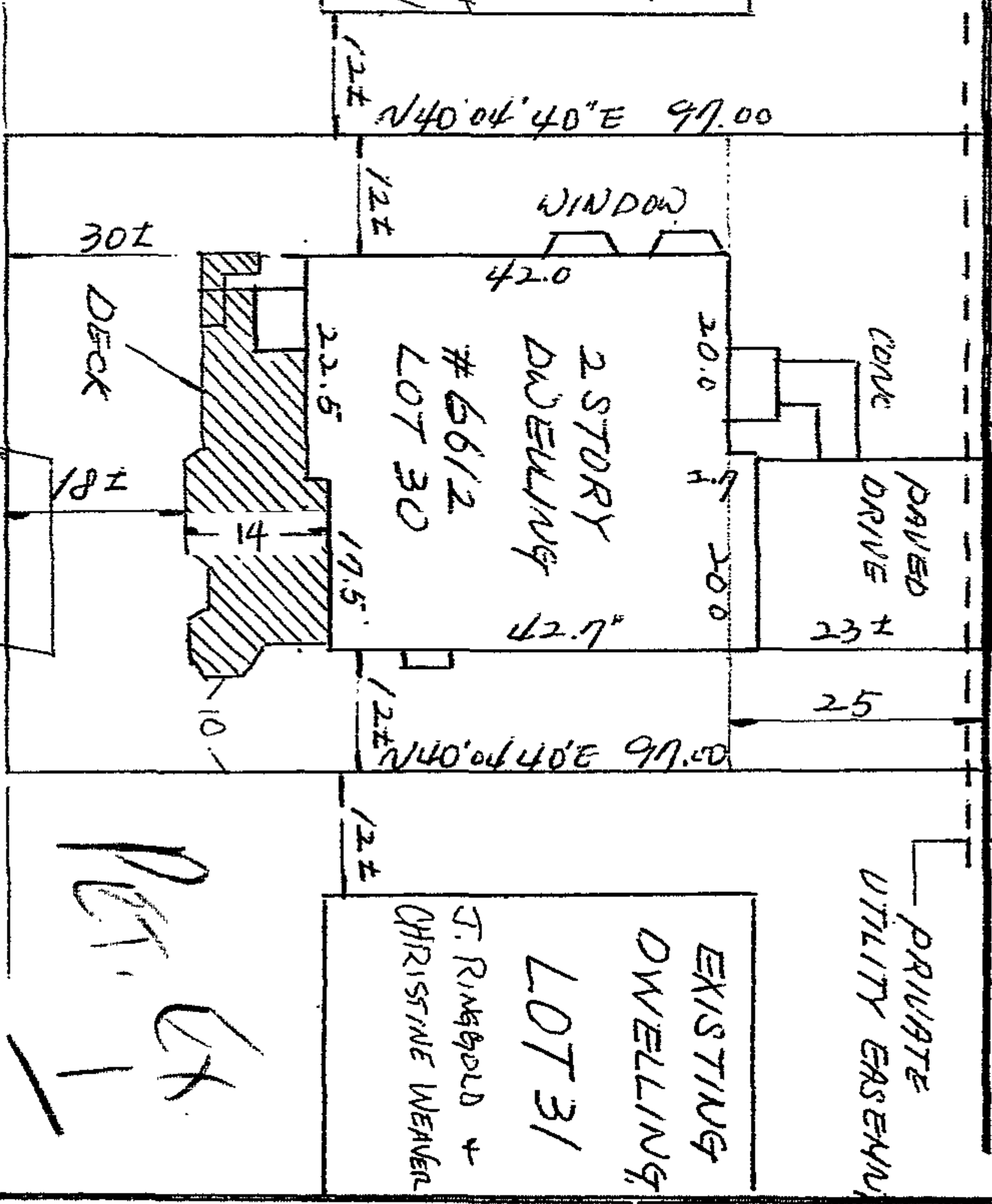
OWNER MYUNG SUP AND YOUNG JIA LEE

ARROW MEE WAY  
S 49° 55' 20" E 64.00



LOT 40

LOT 39

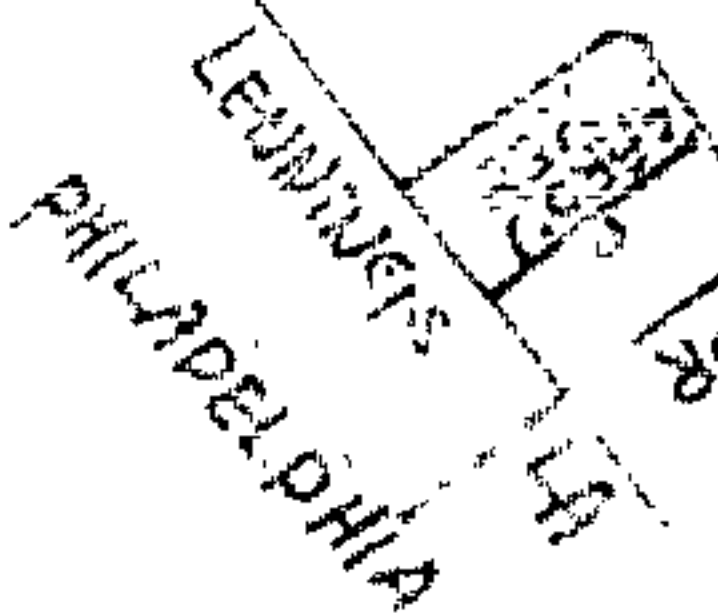


PREPARED BY Myung Sup Lee

SCALE OF DRAWING: 1" = 20'



VICINITY MAP  
SCALE: 1" = 1000'



## LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 09041

ZONING DR 3.5

LOT SIZE 0.14 ACRES 6207 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY / BUILDING ☐

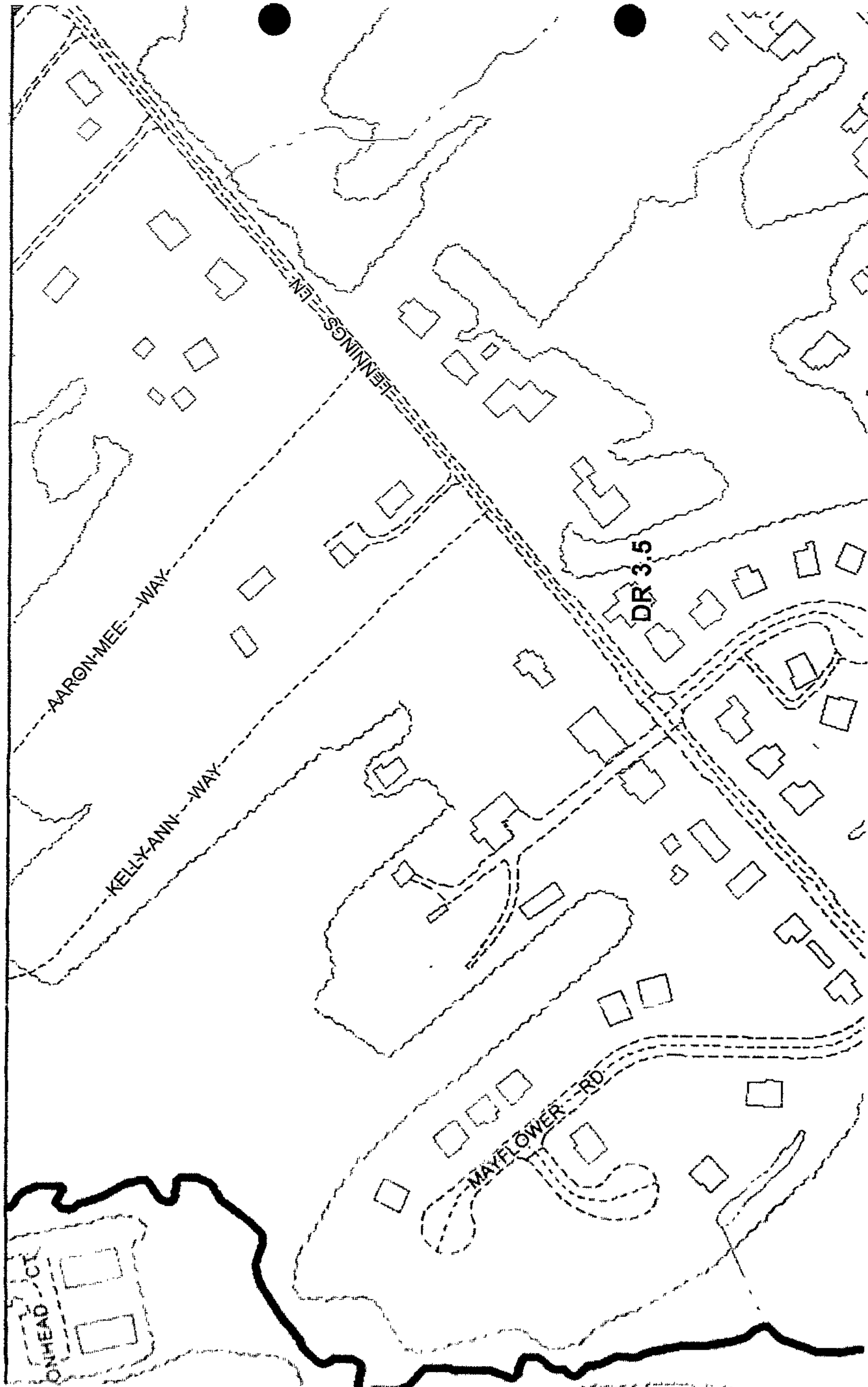
PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY TEM #



090A1





Rem of Proposed Subject Property.

