

IN RE: PETITION FOR ADMIN. VARIANCE
North Side of Hedgepocket Way, 305' NE
Of Centerline of Glyndon Meadow Road
4th Election District
3rd Councilmanic District
(324 Hedgepocket Way)

Eric J. and Michelle Yospa
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-353-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, Eric J. and Michelle Yospa. The variance request is for property located at 324 Hedgepocket Way in the Reisterstown area of Baltimore County. The variance request is from 1A04.3.B.2.b. of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a sideyard setback of 25 ft. for a proposed addition in lieu of the minimum required 50 ft. and to amend the latest approved Final Development Plan of Glyndon Meadows to allow projection of same outside the building envelope. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 28, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

UNRECORDED
Date 2-21-06
By [Signature]

In this case, 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.

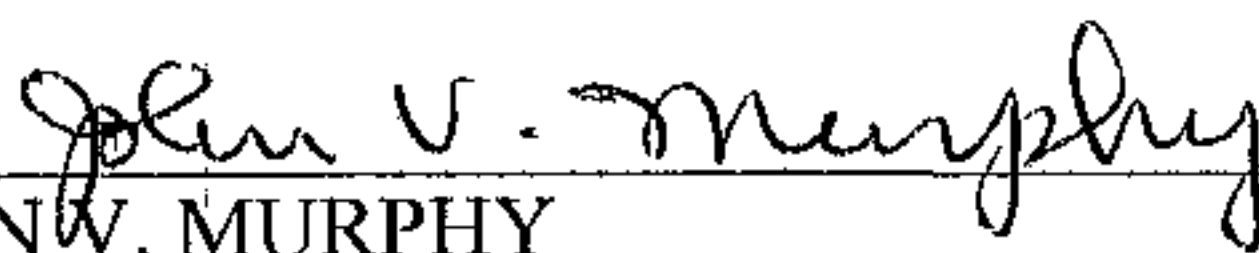
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 21 day of February, 2006, that a variance from 1A04.3.B.2.b. of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a sideyard setback of 25 ft. for a proposed addition in lieu of the minimum required 50 ft. and to amend the latest approved Final Development Plan of Glyndon Meadows to allow projection of same outside the building envelope, to allow projection of same outside the building envelope, 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.

UNDER SECRETARY
Date 2-21-06
By [Signature]

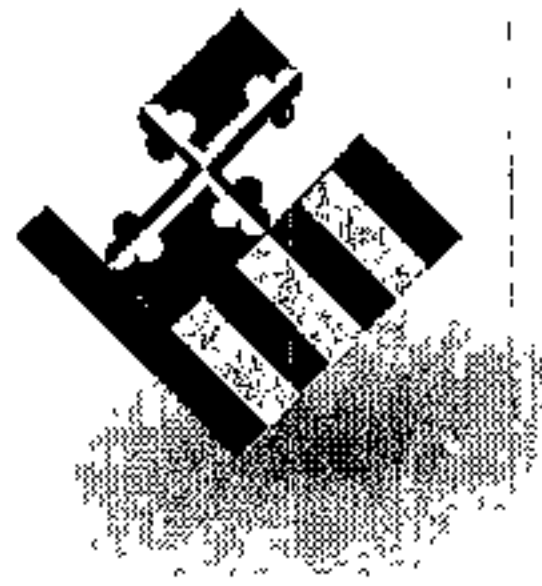
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

ORDER RECEIVED FOR FILING
Date 2-21-06
By Doreen Wiley



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

February 21, 2006

Eric J. Yospa
Michelle Yospa
324 Hedgepocket Way
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 06-353-A
Property: 324 Hedgepocket Way

Dear Mr. and Mrs. Yospa:

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,

A handwritten signature in black ink that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 324 HENDERPOCKET WAY - 21136
which is presently zoned 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) 1 A04.3 B.2.6, to allow a sideyard setback of 25 ft. for a proposed addition in lieu of the minimum required 50 ft. AND TO amend the latest approved Final Development Plan of Glyndon Meadows to allow projection of same outside the building envelope.

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

Address

Telephone No.

City

State

Zip Code

IF A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 06-353A

Reviewed By [Signature]

Date 1-20-06

Estimated Posting Date 1-29-06

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

324 HEDGEPOCKET WAY
Address
P E I S T E R S T O W N 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):

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

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires _____

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 324 HEDGEPOCKET WAY
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):

We would like to build an addition to our house. The dimensions of the addition exceed the allowance for the setback CURRENTLY IN PLACE. As the houses in this neighborhood are all situated on one or more acres of land, ^{between houses} there is plenty of room with the requested variance (in our opinion).

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.

Eric J. Yospa Eric J. Yospa
Signature
Eric J. Yospa
Name - Type or Print

Michelle Z. Yospa Michelle Z. Yospa
Signature
Michelle Z. Yospa
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17 day of January, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

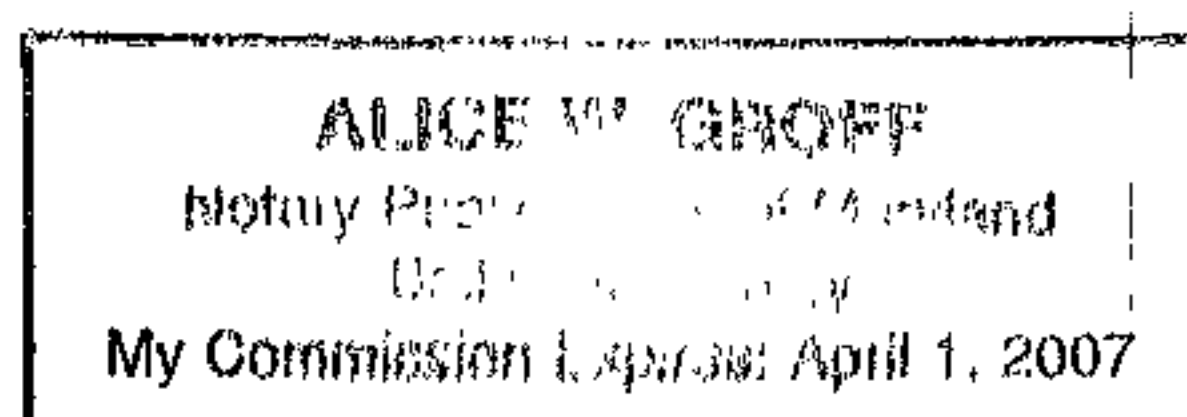
Eric J. Yospa & Michelle Z. Yospa
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s)

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires _____

REV 10/25/01



Zoning Description

Zoning description for **324 Hedgepocket Way**, Reisterstown, MD 21136

Beginning at a point on the **North side of Hedgepocket Way** which is **40 feet wide** at the distance of **305 feet northeast** of the centerline of the nearest improved intersecting street **Glyndon Meadow Rd** which is **40 feet wide**.

Being **Lot#18, Plat 2** in the subdivision of **Glyndon Meadows** as recorded in Baltimore County **Plat Book#67, Folio# 086** containing **1.14 acres**. Also known as **324 Hedgepocket Way** and located in the **4th Election District, 3rd Councilman district**.

Contacts/Owners: Eric and Michelle Yospa

Phone:410-526-4351(h)

410-239-3100(w)

410-967-5539(m)Eric

410-967-5529(m)Michelle

359

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

Receipt No. 2855

DATE 1-30-06 ACCOUNT R-001-006-6150

AMOUNT \$ 115.00

RECEIVED MRS. Voss FROM #6502

Resident of Village of Annapolis
304 Hedgecroft Way

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED DATE TIME
1/30/2006 11:22:40

RECEIPT # 2855

RECEIPT # 2855

RECEIPT # 2855

RECEIPT # 2855

RECEIPT # 2855

RECEIPT # 2855

RECEIPT # 2855

RECEIPT # 2855

CASHIER'S VALIDATION

Chris,
This sign had to
be changed. & recertified.
The original cert had
Ellyneth Meadows
spelled wrong.
Jenna.

Faxed 2/13/06
#3468 2:13 p.m.

CERTIFICATE OF POSTING

ATTENTION: CHRIS BLACKMAN

DATE: 2/12/06

Case Number: 06-353-A

Petitioner/Developer: MR. & MRS. ERIC YOSPA

Date of Hearing (Closing): 2/13/06

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: 324 HEDGEPOCKET WAY RECERTIFICATION AND CHANGED SIGN FOR MISSPELLING OF GLYNDON MEADOWS

The sign(s) were posted on: 1/28/2006

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 06-353-A

TO PERMIT A PROPOSED ADDITION WITH A SIDE
YARD SETBACK OF 25 FEET INSTEAD OF THE MINIMUM
REQUIRED 50 FEET AND TO AMEND THE LATEST
FINAL DEVELOPMENT PLAN OF GLYNDON MEADOWS
TO ALLOW PROJECTION OF SAME OUTSIDE
THE BUILDING ENVELOPE.
324 HEDGEPOCKET WAY

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON MONDAY, FEBRUARY 13, 2006
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. GAYNESDALE AVE.
TOWSON, MD 21204
TEL. 887-3391
MEETING IS HANDICAP ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 353 -A

Address 324 Hedgepocket Way

Contact Person: John Sullivan
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 1-20-06

Posting Date: 1-29-06

Closing Date: 2-13-06

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- 353 -A

Address 324 Hedgepocket Way

Petitioner's Name MR. & MRS. ERIC YOSPE

Telephone 410-239-3100

Posting Date: 1-29-06

Closing Date: 2-13-06

Wording for Sign: To Permit A proposed addition with a side yard setback of 25 ft. in lieu of the minimum required 50 ft. AND To Amend the latest FINAL Development Plan of Glyndon MEWS to allow projection of same outside the building envelope.

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: 06-353 A
Petitioner: Eric Yospa
Address or Location: 324 Hedgepocket Way

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same
Address: Reisterstown, Md. 21136
Telephone Number: 410-239-3100 (Bus #)

Revised 7/11/05 - 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*

February 13, 2006

Eric Yospa
324 Hedgepocket Way
Reisterstown, Maryland 21136

Dear Mr. Yospa:

RE: Case Number: 06-353-A, 324 Hedgepocket Way

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 20, 2006.

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.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 7, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-353 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 13, 2006

FROM: Dennis A. Kennedy, ^{DAK} Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 6, 2006
Item Nos. 346, 347, 348, 350, 351, 353, and 355

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RECEIVED

FEB 13 2006

FORWARDED TO: [illegible]

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-02132006.doc

Need

Comments

~~DAK~~
E

~~[Redacted]~~

OK

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



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

Maryland Department of Transportation

Date: 1.24.04

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

RE: Baltimore County
Item No. 353 JJS

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com



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

January 26, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: January 30, 2006

Item No.: 346,647,348,349,350,351,352,353,354

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 William F Connolly
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



BR

HEDGEPOCKET WAY

GLYNDON MEADOW RD

RC 5

324 HEDGEPOCKET WAY

048 C1

4TH DIST

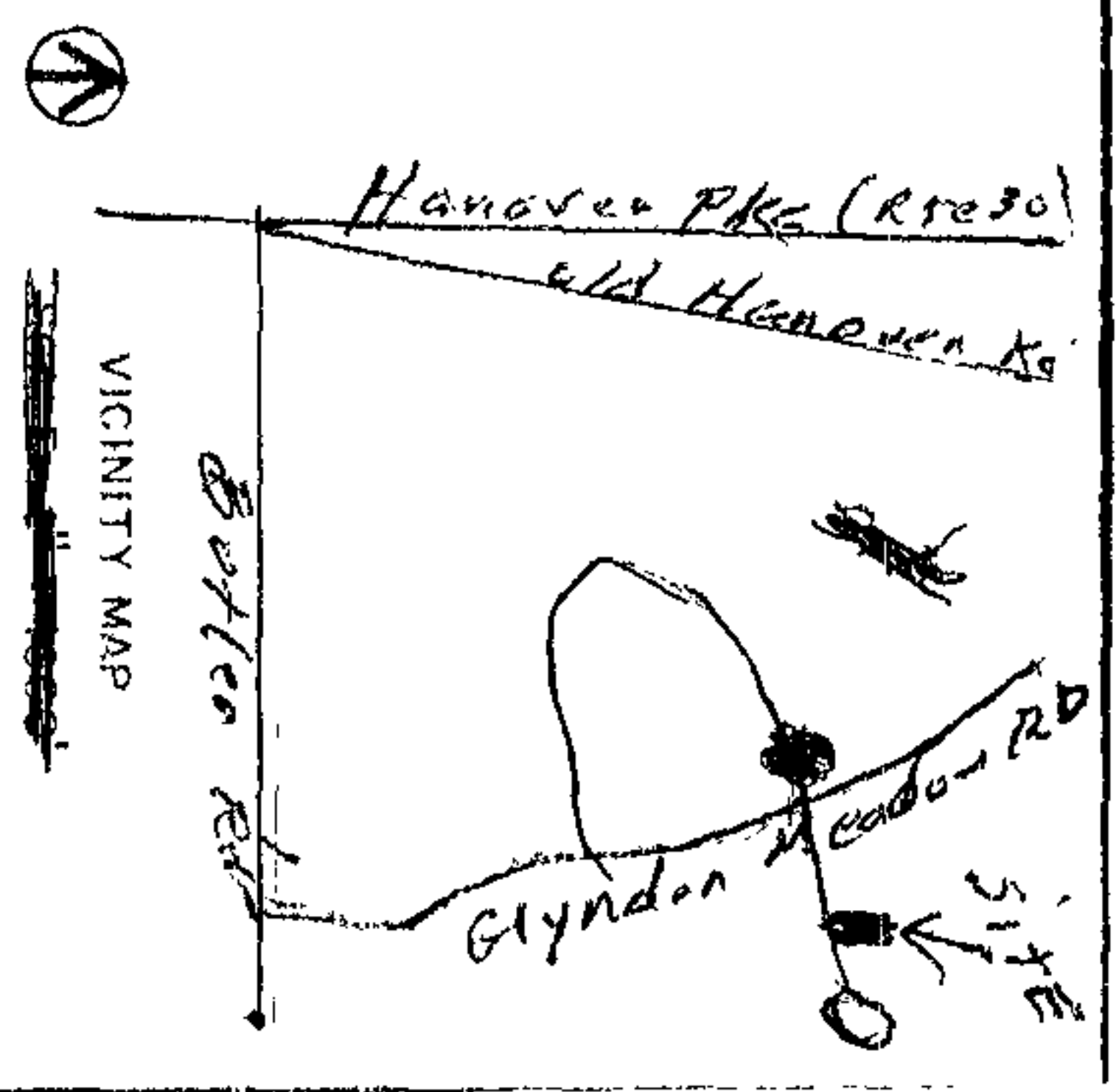
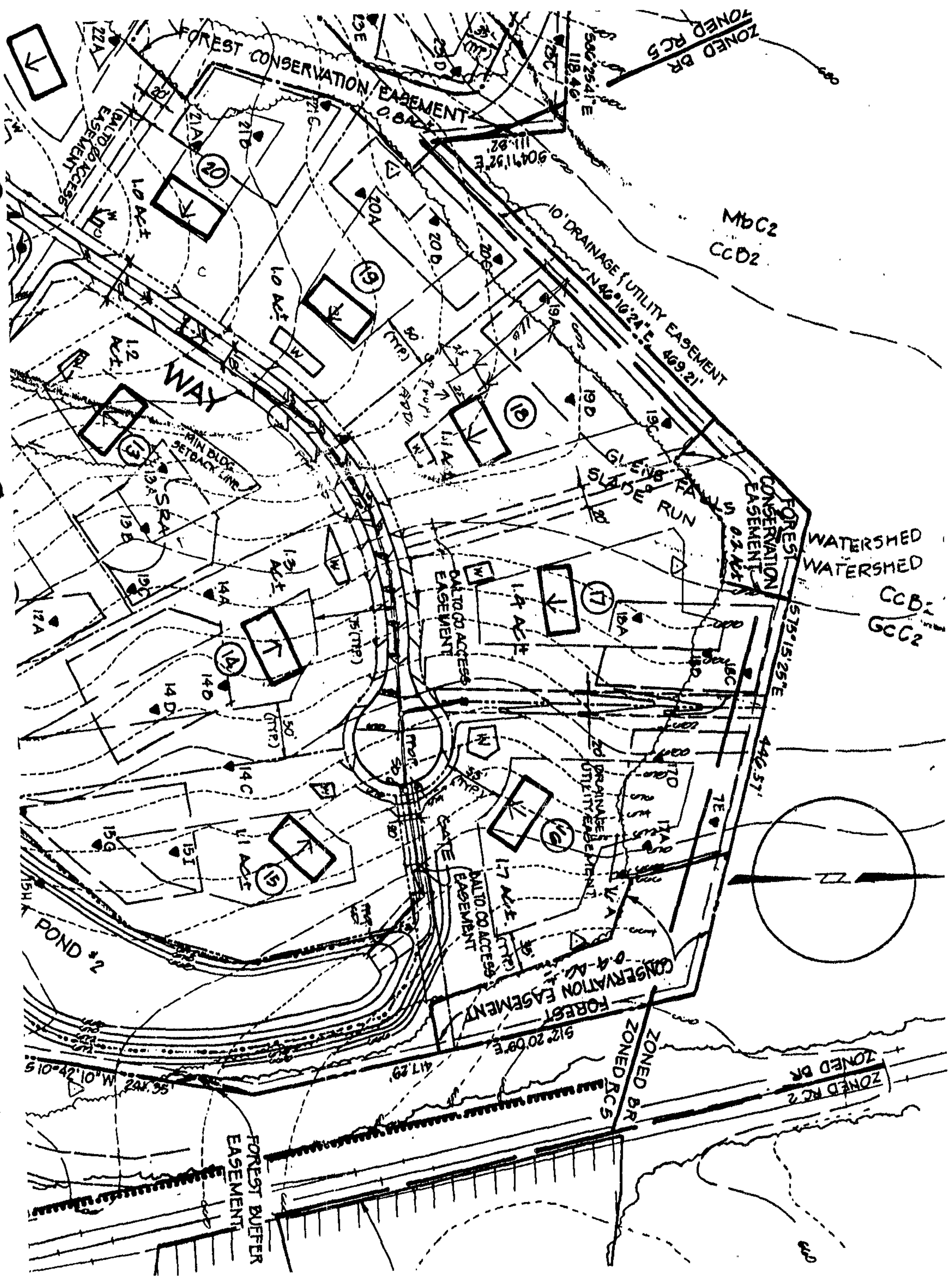
SEEL AVE

CAVE

353

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE

PROPERTY ADDRESS 324 HEDGEROCK WAY
SUBDIVISION NAME GLYNDON MEADOWS
PLAT BOOK # 67 FOLIO # 086 LOT # 18 SECTION # PLAT 2
OWNER ERIC AND MICHAEL YOSPA



LOCATION INFORMATION			
ELECTION DISTRICT	4th		
COUNCILMANIC DISTRICT	3rd		
1" = 200' SCALE MAP #	04821		
ZONING	RC-5		
LOT SIZE	1.14 ac	49,659'	
ACREAGE		SQUARE FEET	
SEWER	☐ PUBLIC	☒ PRIVATE	
WATER	☐	☒	
CHESAPEAKE BAY CRITICAL AREA	☐	☒	YES
100 YEAR FLOOD PLAIN	☐	☒	NO
HISTORIC PROPERTY / BUILDING	☐	☒	
PRIOR ZONING HEARING	N/A		
ZONING OFFICE USE ONLY			
REVIEWED BY	ITEM #	CASE #	
<i>[Signature]</i>	353		

Scale: 1" = 100 ft.

YOSPA
324 Hedgepocket Way

