IN RE: **PETITION FOR VARIANCE** W/S Winands Road, 125' S of the c/l Valley Forge Road **(8513 Winands Road)** 2nd Election District 2nd Council District Chester A. Washington, et ux, Owners; *Peek & Associates, Inc., Contract Purchasers*	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 06-418-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Chester A. Washington and his wife, Joyce D. Washington, and the Contract Purchasers, Peek & Associates, Inc. The Petitioners request a variance from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a proposed replacement dwelling on the subject property with a rear yard setback of 21.5 feet in lieu of the required 30 feet, and a front street setback of 25 feet in lieu of the average required front street setback of 39.15 feet. 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.

Appearing at the requisite public hearing in support of the request were Duncan C. Peek, Principal with Peek & Associates, Inc., who is now the owner of the subject property, and Charles Crocken, Professional Engineer, who prepared the site plan for this property. Also appearing was Bryan M. Richards, Builder. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the west side of Winands Road, just south of its intersection with Valley Forge Road in Reisterstown. The property is also known as Lot 1 of the Mary F. Dorsey Property, which was subdivided in 1979 and recorded in Plat Book 44/93 in the Baltimore County Land Records. The property contains a gross area of 6,423 sq.ft., more or less, zoned D.R.5.5, and was previously improved with a small dwelling, 24' x 44' in dimension, which was built in 1933 and had

Date 4-14-06
By

deteriorated to the point that it was beyond repair. As noted above, the Petitioners recently purchased the property and have since demolished the home to make way for the new construction. As shown on the site plan, the new house will be a two story structure, 54' x 34' in dimension, and feature a side loaded, two-car garage. Testimony indicated that older properties in this community are undergoing similar changes and that the new house will feature design characteristics consistent with other new development in the immediate vicinity. In this regard, it is to be noted that Section 1B02.3.C of the B.C.Z.R. provides for a minimum front yard depth of 25 feet in a D.R.5.5 zone. However, on this side of Winands Road, the houses on the immediately adjacent lots are setback further from the road than the proposed dwelling. Thus, an "average" front setback of 39.15 feet is required for development on the subject lot, pursuant to Section 303.1 of the B.C.Z.R. Moreover, due to the narrow depth of the lot, the proposed dwelling cannot meet rear yard setback requirements. Thus, the requested variance relief is necessary.

After due consideration of all of the testimony and evidence presented, I am persuaded to grant the variance. It is clear that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners and prevent use of the property for a permitted purpose. Moreover, testimony and evidence demonstrated that many of the homes in the immediate vicinity are setback a similar distance from Winands Road as that proposed here. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and the proposal appears compatible with the pattern of development in the area. Thus, I find that the relief requested is appropriate in this instance and will not be detrimental to adjacent properties or the surrounding locale.

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 14th day of April 2006 that the Petition for Variance seeking relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a proposed replacement dwelling on the subject property with a rear yard setback of 21.5 feet in lieu of the

ORDER RECEIVED FOR FILING
Date 4-14-06
By

required 30 feet, and a front street setback of 25 feet in lieu of the average required front street setback of 39.15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 4-14-00
By Bess Jones

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

April 14, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. Duncan C. Peek
Peek & Associates, Inc.
6220 Plaited Reed
Columbia, Maryland 21044

RE: **PETITION FOR VARIANCE**
W/S Winands Road, 125' S of the c/l Valley Forge Avenue
(8513 Winands Road)
2nd Election District – 2nd Council District
Chester A. Washington, et ux (former Owners) and Peek & Associates, Inc. - Petitioners
Case No. 06-418-A

Dear Mr. Duncan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for 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:dlw

cc: Mr. & Mrs. Chester A. Washington
9401 White Cedar Drive, Apt. 215, Owings Mills, Md. 21117
Mr. Charles R. Crocken, P.O. Box 307, Westminster, Md. 21158
People's Counsel; Case File

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8513 WINANDS ROAD

which is presently zoned DR 5.5

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) 1B02.3.C.1 & 303.1, BCZR, to permit a proposed replacement dwelling with a rear yard setback of 21.5 feet in lieu of the minimum required 30 feet, and a front street setback of 25 feet in lieu of the required average front street setback of 39.15 feet.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

(SEE ATTACHED)

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:

PEEK & ASSOCIATES, INC.
Name - Type or Print

Duncan C. Peek
Signature

6220 PLAITED REED — (410) 997-4240
Address — Telephone No.

COLUMBIA, MARYLAND, 21044
City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

CHESTER A. WASHINGTON
Name - Type or Print

Signature

JOYCE D. WASHINGTON
Name - Type or Print

Signature APT. 215

9401 WHITE CEDAR DR
Address — Telephone No.

OWINGS MILLS, MD. 21117
City — State — Zip Code

Representative to be Contacted:

CHARLES R. CROCKEN P.E.
Name

P.O. BOX 307 — (410) 549-2708
Address — Telephone No.

WESTMINSTER, MD. 21158
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP **Date** 2/27/06

Case No. 06-418-A

RECEIVED FOR FILING
Date 1-4-06
By

REV 9/15/98

REQUEST FOR VARIANCE
8513 WINANDS ROAD,
RANDALLSTOWN, MARYLAND

The subject property is located on the west side of Winands Road just south of Valley Forge Road and is improved by an existing 1 ½ bungalow which has deteriorated due to it's age and is scheduled for demolition. The property is a rental property and the current owner's have no plans for renovating the dwelling which is now beyond repair.

The subject property is also known as Lot #1 of the Mary F. Dorsey Property and was created by record plat processed as ICDA File # 78-296 and recorded in June 1979. The property is currently zoned DR-5.5 but, the existing dwelling does not meet the front and rear yard setbacks because Lot #1 as created in 1979 does not meet current standards.

The property is only 80.5 feet deep from front to back and the existing dwelling is 30 feet deep not including the existing front and rear porches. The proposed dwelling is 32 feet deep with an additional 2 foot overhang on the second floor (see attached plan) The proposed plan calls for the new dwelling to be located on the 25 foot front setback in lieu of the required average front yard setback of 39.15 feet, as a result, the distance from the rear overhang to the rear property line is 21.5 feet. If the petitioner is required to hold the rear setback of 30 feet and average front setback of 39.15 the proposed dwelling will be only 11.35 feet deep which is not practical.

The property is located in a community, where older properties are under going similar changes. The petitioner has been a part of similar improvements on two properties just south of Lot #1 at 8509 and 8511 Winands Road. The proposed improvement will serve to continue the renewal and enhancement of the immediate area.

A variance is requested for the property, Lot 1, from section 1B02.3c of the B.C.Z.R. to allow a minimum rear yard of 21.5 feet in lieu of the required 30 feet. In addition a variance is requested from section 303.1 of the B.C.Z.R. to allow a 25.0 foot front yard setback in lieu of the required average front yard setback of 39.15 feet. (see attached plan accompanying petition)

There is no history of previous zoning cases associated with the property.

The requested variances are internal only and will not affect in any adverse way either the subject property or any adjoining properties and will not have any adverse impact on the health and welfare of the general public.

The proposed variances are the minimum required to construct a desirable dwelling similar to the dwellings constructed on the adjoining properties. Without the approval of the variances the petitioner will not be able to construct a reasonable dwelling. The petitioner will suffer practical and unreasonable hardship if forced to constructed a dwelling which is too small.

ZONING DESCRIPTION FOR 8513 WINANDS ROAD

Beginning for the same at a point on the west side of Winands Road which is 60 feet wide at a distance of 125 feet south of the centerline of the nearest improved intersecting street Valley Forge Avenue which is 30 feet wide, bing Lot # 1 in the subdivision of the Mary F. Dorsey Property as recorded in Baltimore County Plat Book # 44, Folio #93 containing 6,423.172 square feet, also known as 8513 Winands Road and located in the 2 nd. Election District, 2 nd Councilmanic District, Baltimore County, Maryland.

peek desc

06-418-A

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #06-418-A
8513 Winands Road
West side of Winands Road, 125 ft. south of Valley Forge Avenue
2nd Election District — 2nd Councilmanic District
Legal Owner(s): Chester A. & Joyce D. Washington

Variance: to permit a proposed replacement dwelling with a rear yard setback of 21.5 feet in lieu of the minimum required 30 feet, and a front street setback of 25 feet in lieu of the required average front street setback of 39.15 feet.

Hearing: Tuesday, April 4, 2006 @ 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/245 Mar. 16 87791

CERTIFICATE OF PUBLICATION

3/16/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/16/, 2006.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 448121

DATE 2/27/06 ACCOUNT 1-000-000-6150

AMOUNT $ 65.00

RECEIVED FROM: Charles A. Cook or Associates Inc.

FOR: Var. area - 1513 Winand Road
06-418-A (Washington)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	REF#
2/27/2006	2/27/2006	10:15:37	1

PER WOLF WALKER ASSOC INC
RECEIPT # 070844 2/27/2006 CRTR
Dept 5 SUB-DOCUMENT VERIFICATION
DOC NO. 448121

Receipt Tot	$65.00
$65.00 CK	$0.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

BA'TIMORE COUNTY, MARYLAND
C CE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

DATE

ACCOUNT

AMOUNT $

RECEIVED FROM:

FOR:

DI UTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-418-A

Petitioner/Developer:

Chester + Joyce Washington

Date of Hearing/Closing: 4-4-06

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 W. Chesapeake Avenue
Towson, MD 21204

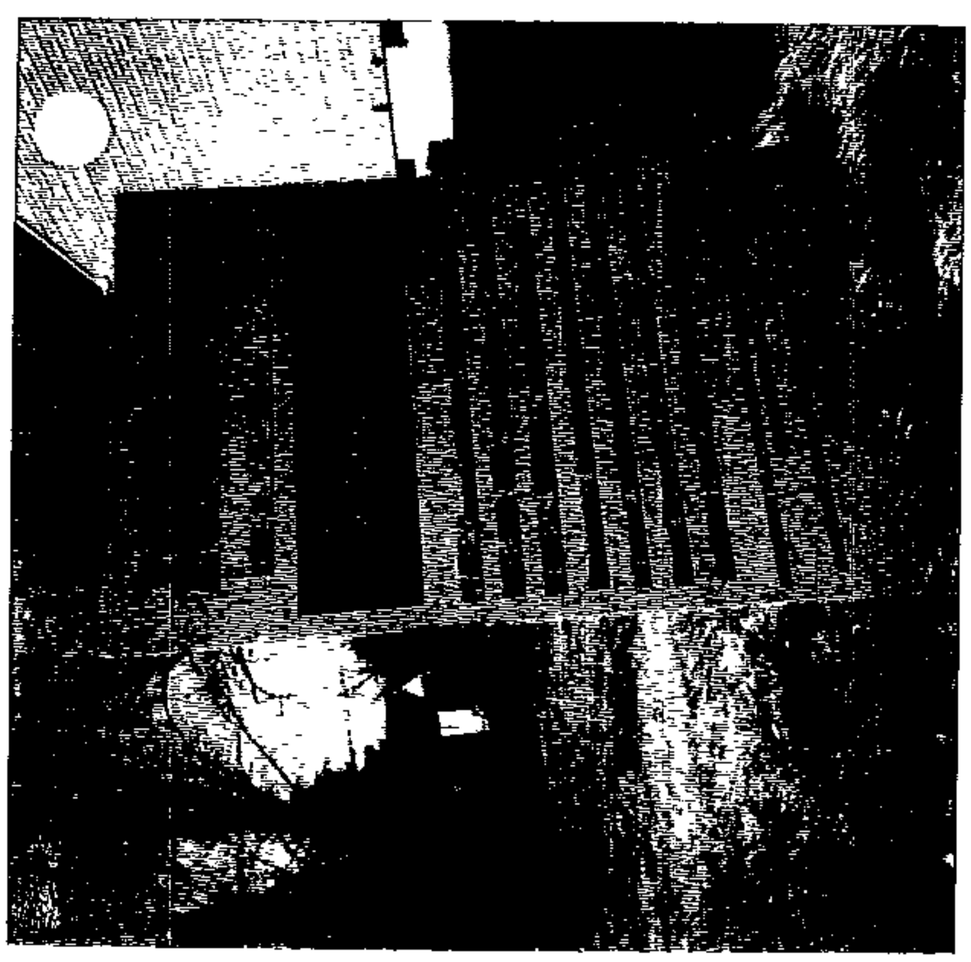
Attention: Kristen Matthews

Ladies and Gentlemen:

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

8513 Winands Road, Randallstown, MD 21136

The sign(s) were posted on Friday, March 17, 2006
(Month/Day/Year)



Sincerely,

Stacy Gardner 3/17/06
(Signature of Sign Poster/Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(Address)

410-781-4000
~~(Date)~~
Phone

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

March 7, 2006

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-418-A
8513 Winands Road
West side of Winands Road, 125 ft. south of Valley Forge Avenue
2nd Election District—2nd Councilmanic District
Legal Owners: Chester A. & Joyce D. Washington

VARIANCE to permit a proposed replacement dwelling with a rear yard setback of 21.5 feet in lieu of the minimum required 30 feet, and a front street setback of 25 feet in lieu of the required average front street setback of 39.15 feet.

Hearing: Tuesday, April 4, 2006 @ 10:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

Timothy Kotroco

Timothy Kotroco
Director

TK: raj
C: Chester & Joyce Washington, 9401 White Cedar Drive, Owings Mills, MD 21117
Charles R. Crocken, P.E., P. O. Box 307, Westminster, MD 21158
Peek & Associates, Inc.6220 Plaited Reed, Columbia, MD 21044

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 20, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 16, 2006 Issue - Jeffersonian

Please forward billing to:
Charles R. Crocken & Assoc. (410-549-2708)
902 Lee Avenue
Sykesville, MD 21784

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-418-A
8513 Winands Road
West side of Winands Road, 125 ft. south of Valley Forge Avenue
2nd Election District—2nd Councilmanic District
Legal Owners: Chester A. & Joyce D. Washington

VARIANCE to permit a proposed replacement dwelling with a rear yard setback of 21.5 feet in lieu of the minimum required 30 feet, and a front street setback of 25 feet in lieu of the required average front street setback of 39.15 feet.

Hearing: Tuesday, April 4, 2006 @ 10:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 06-418-A

Petitioner: Chester & Joyce Washington

Address or Location: 8513 Winands Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARLES P. CROCKEN & ASSOC.

Address: 902 CEE AVE.
SYKESVILLE, MD.
21784

Telephone Number: 410-549-3708

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

March 30, 2006

Chester A. Washington
Joyce D. Washington
9401 White Cedar Drive
Owings Mills, MD 21117

Dear Mr. and Mrs. Washington:

RE: Case Number: 06-418-A, 8513 Winands Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 27, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Charles R. Crocken, P.E. P.O. Box 307 Westminster 21158
Peek & Associates, Inc 6220 Plaited Reed Columbia 21044

Printed on Recycled Paper

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

March 14,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: March 13,2006

Item No.: 411, 418, 419, 420, 421, 423, 424, 426

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
(O)410-887-4881
MS-1102F

cc: File

BW 4/4

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

March 7, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: March 6, 2006

Item No.: Item Numbers 409 through 417 and 425
418

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.

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

LT. Roland P. Bosley Jr.
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 10, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
for March 13, 2006
Item Nos. 401, 408, 409, 410, 413, 416, 417, 418 and 425

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

DAK:CEN:cab
cc: File
ZAC-NO COMMENTS-03132006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 3, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-418 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By: Curtis Murray

Division Chief: [illegible]

CM/LL

W:\DEVREW\ZAC\06-418B.doc

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 3·14·06

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

RE: Baltimore County
Item No. 418 JHP

Dear. Ms. Matthews:

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

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

Very truly yours,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR VARIANCE 8513 Winanda Road; W/S Winands Road, 125' S Valley Forge Avenue 2nd Election & 2nd Councilmanic Districts Legal Owner(s): Chester & Joyce Washington Petitioner(s)	* * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-418-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of March, 2006, a copy of the foregoing Entry of Appearance was mailed to, Charles Crocken, P.E., P.O. Box 307, Westminster, MD 21158, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
MAR 13 2006
Per

To Zoning Tuesday 5/21/07

Southern Homes, LLC
10149 Reed Lane
Ellicott City, MD 21042

May 17, 2007

Mr. Lloyd Moxley
Baltimore County Zoning and Planning
Towson, Maryland

Re: 8513 Winands Road Deck, variance request

Mr Moxley,

This letter is written to explain the reason for our request for a variance. We had a zoning hearing, variance case #06-418-A, for this lot prior to issuance of permit number B626606. The county wanted the house set back on the lot reducing the back yard depth. The home owners would like to build a deck at this time for outdoor entertaining purposes.

Following the county guide lines, the deck would be 7' deep, which is not adequate for the home owner's purposes. As stated above the home owners enjoy entertaining, and desire a deck 20' wide by 14' deep. A deck this size would be 9 ½ feet from the rear property line.

The home owners are asking variance from the county guide line in order to construct an adequate deck.

Sincerely

Bryan Roberts,
Managing Member

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF CASE NO. 06-418-A

6/28/07
DATE

RECEIVED
MAY 22 2007
07-273
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

07- 273

DUNCAN C. PEEK
6220 Plaited Reed
Columbia, Maryland 21044

Mr. Lloyd Moxley
Baltimore County Maryland
Department of Planning & Zoning
Towson, Maryland 21204

June 7, 2007

Dear Mr. Moxley:

As the owner of the lot at 8515 Winands Road, directly behind and tangent to the lot and house at 8513 Winands Road, I have no problem with the owners, Mr. & Mrs. McMillan, building a deck within the rear set-back area.

I understand that the deck will be 20' wide by 14' deep.

Respectfully,

Duncan C. Peek

Duncan C. Peek
Owner- 8515 Winands Road

Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 02 **Account Number** - 1800009274

Owner Information

Owner Name:	WASHINGTON CHESTER A WASHINGTON JOYCE D	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	APT 215 9401 WHITE CEDAR DR *OWINGS MILLS MD 21117-7519*	**Deed Reference:**	1) / 6202/ 306 2)

Location & Structure Information

Premises Address
8513 WINANDS RD

Legal Description
6423 SQ FT .1474 AC
MARY F DORSEY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
77	10	1210					1	1	Plat Ref: 44/ 93

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1933	1,080 SF	6,423.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	33,920	39,420		
Improvements:	30,620	33,760		
Total:	64,540	73,180	70,300	73,180
Preferential Land:	0	0	0	0

Transfer Information

Seller:	DORSEY MARY F	**Date:**	09/04/1980	**Price:**	$11,500
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/ 6202/ 306	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Case No.: 06-418-A

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan - Red Lined Setbacks Needed	
No. 2	Recorded Sub divison Plat	
No. 3		
No. 4		
No. 5	BRIAN ROBERTS PARK S+1	
No. 6	410 461 6122	
No. 7	443 253 3985 CELL	
No. 8	SEE BILL W.	
No. 9	ASK CARL	
No. 10		
No. 11		
No. 12		

PLEASE PRINT CLEARLY

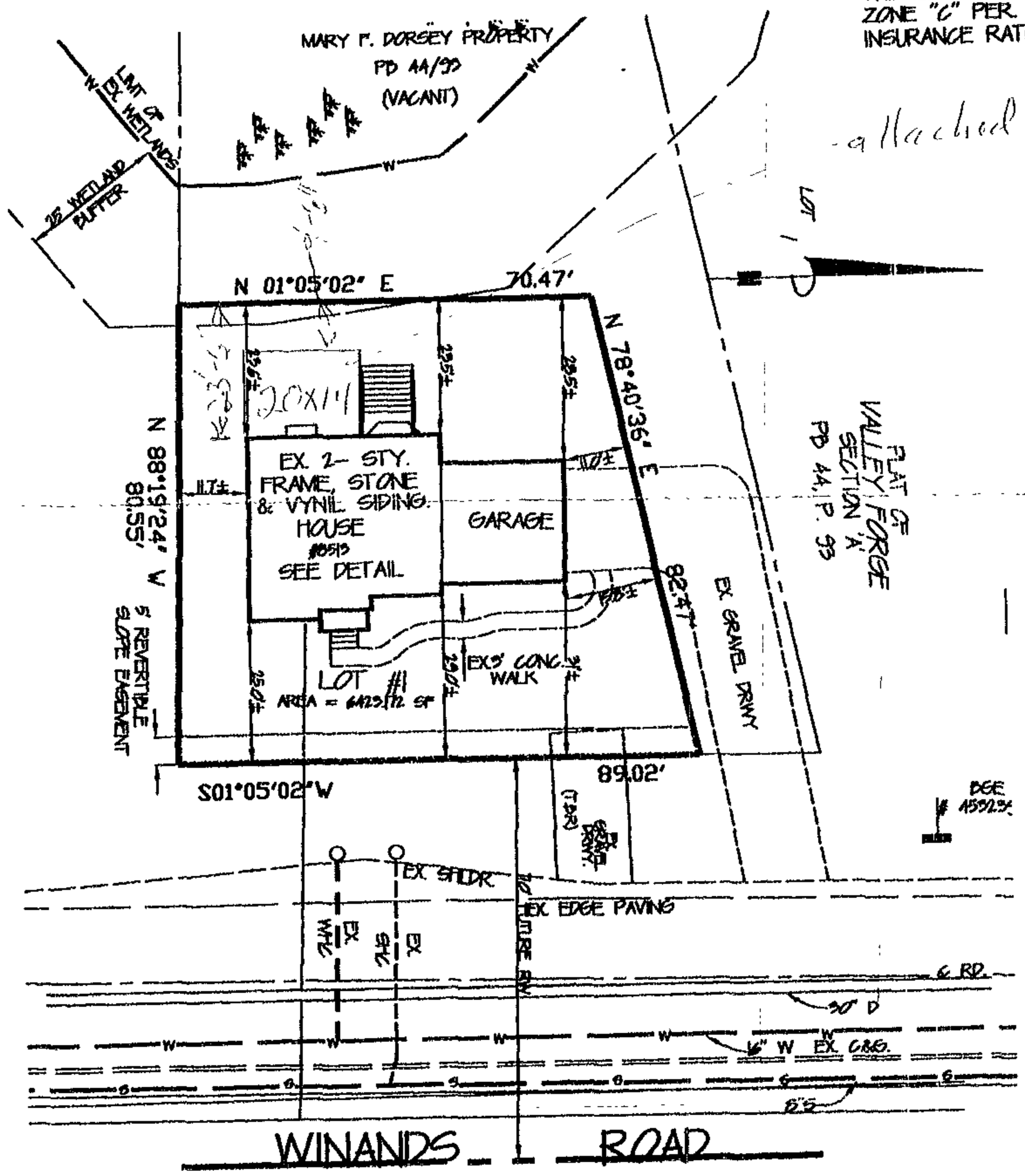
CASE NAME_____
CASE NUMBER_____
DATE_____

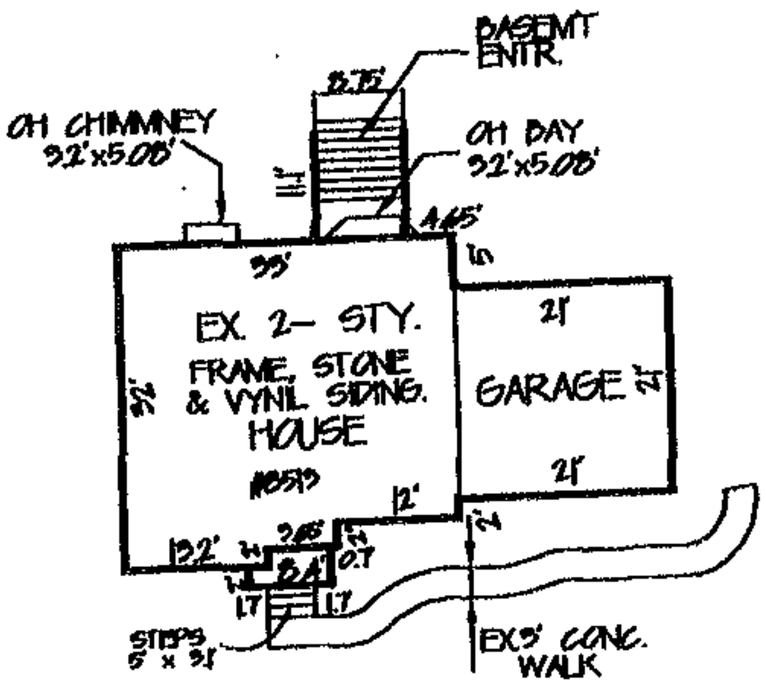
PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
[illegible]	902 LEE AVE	STATESVILLE 21784	
Duncan C. Peck	6220 PLAITED REED	COLUMBIA MD. 21044	
Bryan M. Rihard	10149 Reed Lane	Ellicott City MD 21042	

THE LOT SHOWN HEREON IS IN FLOOD ZONE "C" PER FEMA FLOOD INSURANCE RATE MAP #2400100360D

attached deck





HOUSE DETAIL

SCALE: 1"=30'

ZONING NOTE

THE PLAN SHOWN HEREON IS SUBJECT TO A VARIANCE FROM SECTION 1B02.3D B.C.Z.R. FOR A 21.5' REAR YARD IN LIEU OF THE REQUIRED 30' MIN REAR YARD AND A VARIANCE FROM SECTION 303.1 B.C.Z.R. FOR A 25 FT FRONT YARD IN LIEU OF THE REQUIRED AVERAGE FRONT YARD OF 39.15 FT. APPROVED: 05/04/2006

STATE OF MARYLAND
LEONARD THOMAS BOHAGER
No. 10859
REGISTERED
PROFESSIONAL LAND SURVEYOR

NOTE: ACCURACY OF APPARENT SETBACK DISTANCES ARE 1 FT.+/-

NOTE: (A) THIS PLAT IS NOT INTENDED FOR USE IN ESTABLISHING PROPERTY LINES AND DOES NOT CONSTITUTE A BOUNDARY SU SURVEY.

(B) THIS PLAT IS OF THE BENEFIT TO THE CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING.

(C) THIS PLAT SHOULD NOT BE RELIED UPON FOR THE LOCATION OR ESTABLISHMENT OF FENCES, GARAGES, BUILDINGS OR OTHER EXISTING OR FUTURE IMPROVEMENTS

THIS IS TO CERTIFY THAT WE HAVE LOCATED THE IMPROVEMENTS AS SHOWN ACCORDING TO THE REGULATIONS GOVERNING THE MARYLAND STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS EFFECTIVE DATE AUGUST, 2005

Leonard T. Bohager

REG. # 10859 DATE: 12-21-06

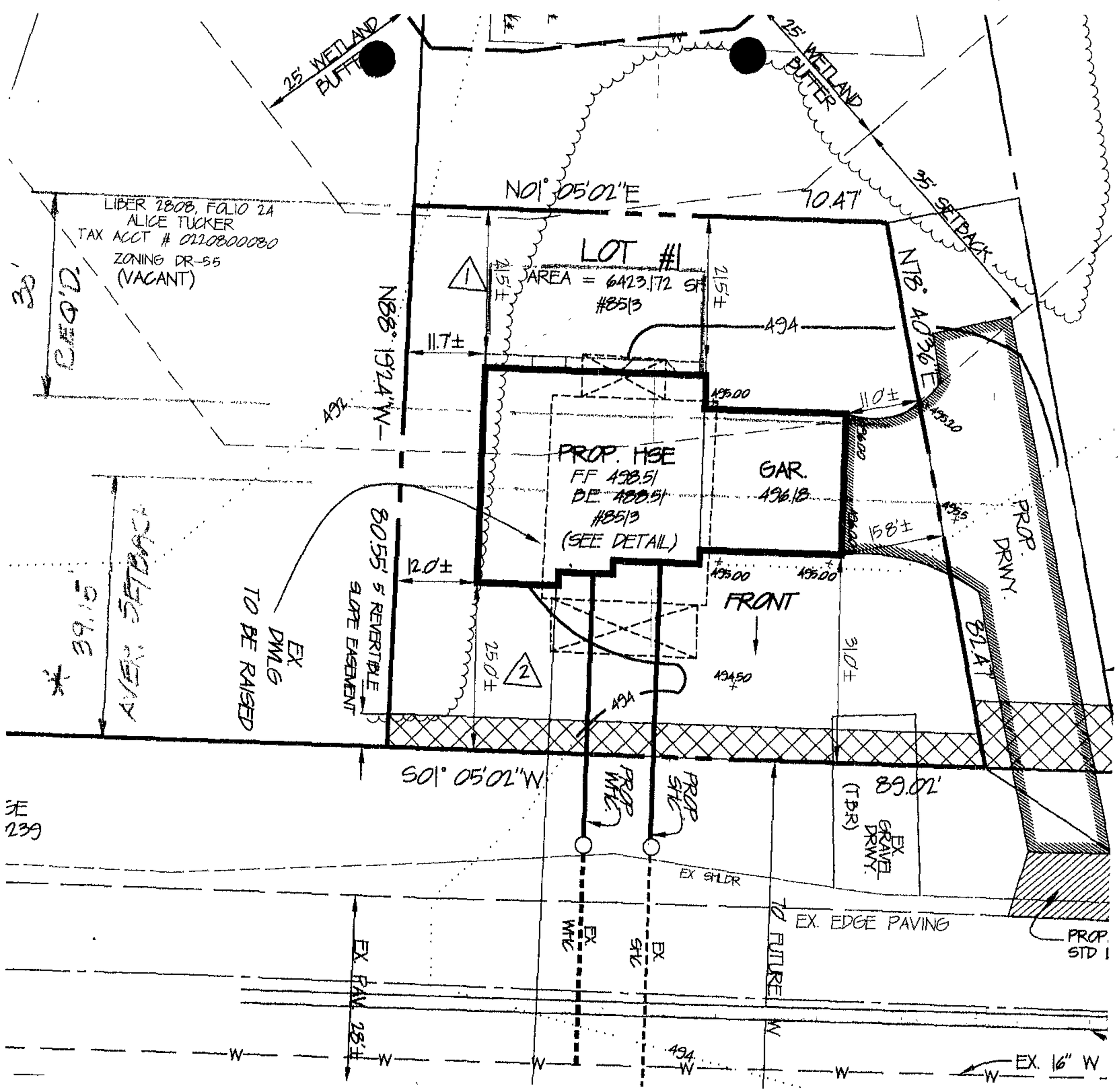
LOCATION CERTIFICATION

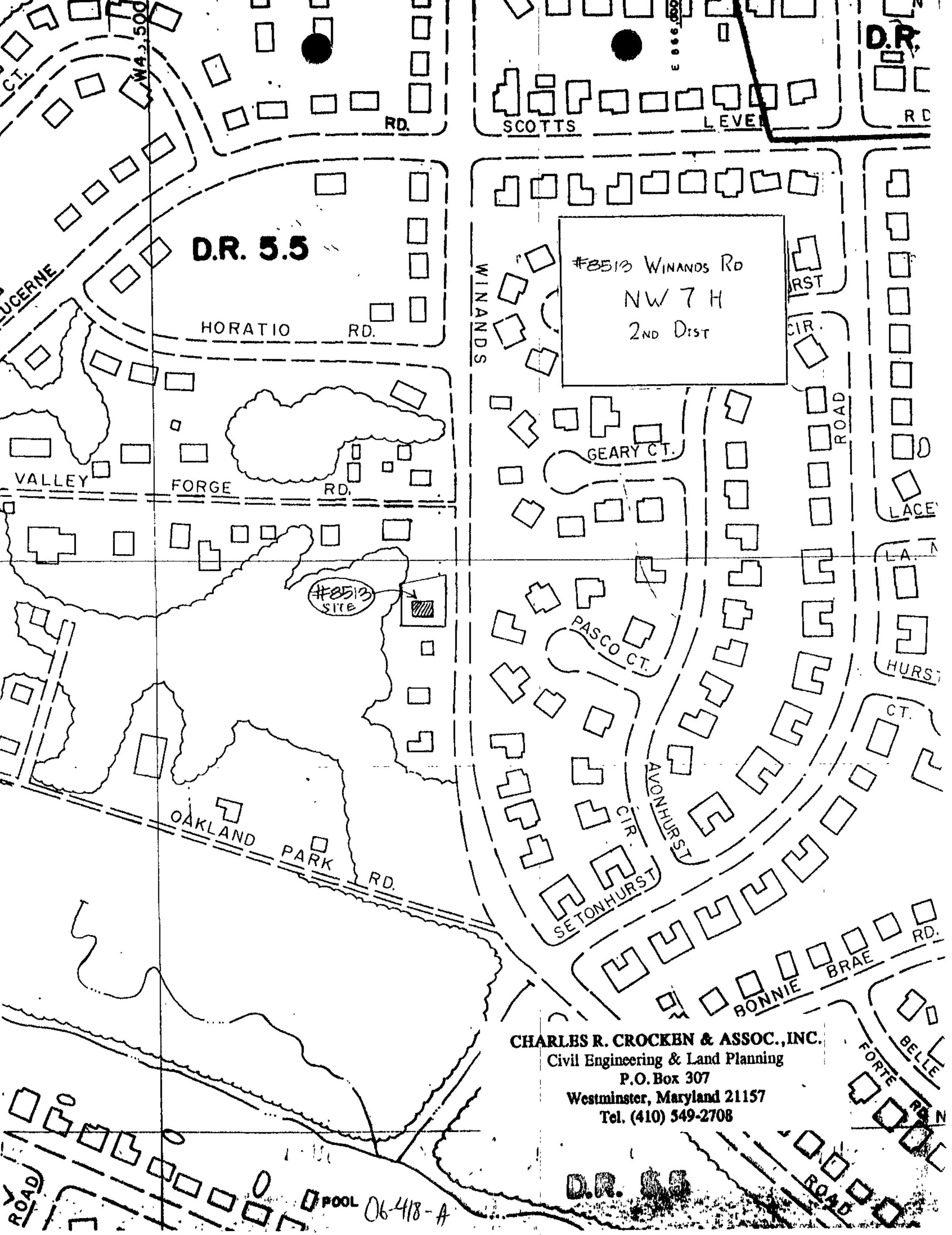
#8513 WINANDS ROAD

LOT #1 OF THE
MARY F. DORSEY PROPERTY
PB 44/93
LIBER 6202/ 306

TAX MAP 77 GRID 10 PARCEL #210
2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1"= 30' DATE: 12/2006

CHARLES R. CROCKEN & ASSOCIATES, INC.
Civil Engineering Land Planning
P.O. BOX 307
WESTMINSTER, MD 21157
Tel. (410) 549-2708


25' WETLAND BUFFER
25' WETLAND BUFFER
35' SETBACK
N01° 05'02"E
70.47'
LIBER 2808, FOLIO 24
ALICE TUCKER
TAX ACCT # 0220800080
ZONING DR-5.5
(VACANT)
LOT #1
AREA = 6423.172 SF
#8513
215'±
215'±
N78° 40'36"E
494
11.7±
N88° 19'24"W
494
495.00
110'±
495.50
PROP. HSE
FF 498.51
BE 488.51
#8513
(SEE DETAIL)
GAR.
496.18
495.5
158'±
PROP. DRWY.
80.55'
5' REVERTIBLE SLOPE EASEMENT
12.0'±
495.00
495.00
FRONT
EX DWLG TO BE RAISED
25.0'±
494.50
31.0'±
81.41'
494
S01° 05'02"W
PROP WTR
PROP SEW
89.02'
(TBR)
EX GRAVEL DRWY.
EX STLDR
EX. EDGE PAVING
PROP. STD
EX WTR
EX SEW
EX. PAV. 28'±
494
EX. 16" W


D.R. 5.5
D.R.
#8513 WINANDS RD
NW 7 H
2ND DIST
#8513 SITE
HORATIO RD.
VALLEY FORGE RD.
OAKLAND PARK RD.
WINANDS ROAD
GEARY CT.
PASCO CT.
SETONHURST CIR.
AVONHURST
BONNIE BRAE RD.
SCOTTS LEVEL RD.
LACE
HURST CT.
BELLE FORTE
POOL
06-418-A
CHARLES R. CROCKEN & ASSOC., INC.
Civil Engineering & Land Planning
P.O. Box 307
Westminster, Maryland 21157
Tel. (410) 549-2708

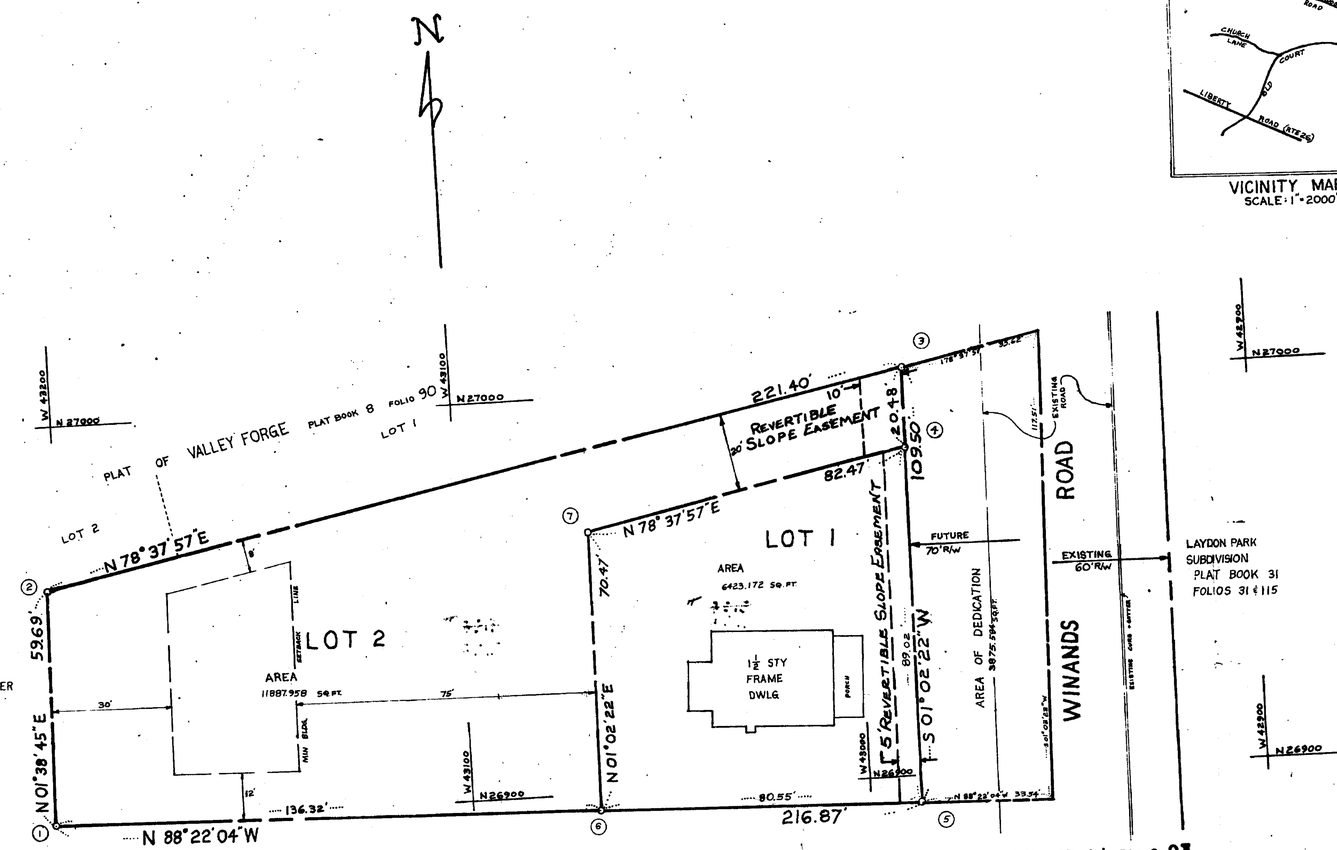
COORDINATE SCHEDULE		
NO.	NORTH	WEST
1	26899.4988	43204.7142
2	26959.1663	43202.9996
3	27002.8041	42985.9469
4	26982.3292	42986.3184
5	26893.3211	42987.9333
6	26895.6157	43068.4500
7	26966.0739	43067.1716

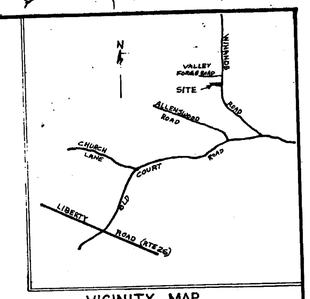
ACREAGE

LOT 1	0.1475
LOT 2	0.2729
DEDICATION TO BALTO. CO.	0.0890
TOTAL	0.5094

DEED REFERENCE
MARY F. DORSEY
Liber: 1351 Folio: 35

SAVING AND EXCEPTING
NEWTON I. TUCKER
Liber: 2808 Folio: 24
HELEN D. PHILLIPS ET AL
Liber: 5201 Folio: 410
NEWTON I. TUCKER
Liber: 5276 Folio: 602





VICINITY MAP
SCALE: 1" = 2000'

NOTE:
HIGHWAY AND HIGHWAY WIDENING SLOPE DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER ARE HEREBY OFFERED FOR DEDICATION TO BALTO. CO., MD., THE DEVELOPER HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTO. CO., MD. AT NO COST.

NOTE:
COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS.

X 1308 N 24793.85 W 40320.70 X 1309 N 25183.05 W 39962.11

DENSITY TABULATION
.3 x (0.1577 + 0.2738) Ac. = 0.12990

ALL AREAS INCLUDING ADJACENT PROPERTIES ARE ZONED DR.5.5

E.H.K. JR. 44 FOLIO 93

Filed for record
Date JUN 21 1979
Test
Clerk

NONE DUE
Fund No.: 9CM
Plat No.:
Reference:
Street Address:
Issue No.:

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT TO THE BEST OF IT'S KNOWLEDGE. THE REQUIREMENT OF SUBSECTION (c) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAS BEEN COMPLIED WITH, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

DATE

APPROVED AS TO ALIGNMENT AND LOCATION OF STREETS

ROADS ENGINEER OF BALTIMORE COUNTY — DATE

APPROVED BY BALTIMORE COUNTY HEALTH DEPARTMENT

DEPUTY STATE & COUNTY HEALTH OFFICER — DATE

APPROVED BY BALTIMORE COUNTY PLANNING BOARD

DIRECTOR — DATE 3/6/79

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (c) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND PARTICULARLY INSOFAR AS SAME CONCERNS, THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

William E. Doyle Nov 27, 1978
DATE

WILLIAM E. DOYLE
Registered Land Surveyor 8440
5312 Emerald Dr. Ph. 795-2210
SYKESVILLE, MD 21784

MARY F. DORSEY
PROPERTY

SITUATED ON WEST SIDE OF WINANDS ROAD
1600'± NORTH OF OLD COURT ROAD

ELECTION DISTRICT 2
BALTIMORE COUNTY, MARYLAND

ICDA No. 78-296

DRAWN NOVEMBER 21, 1978
REVISED JANUARY 12, 1979

SCALE: 1" = 20'

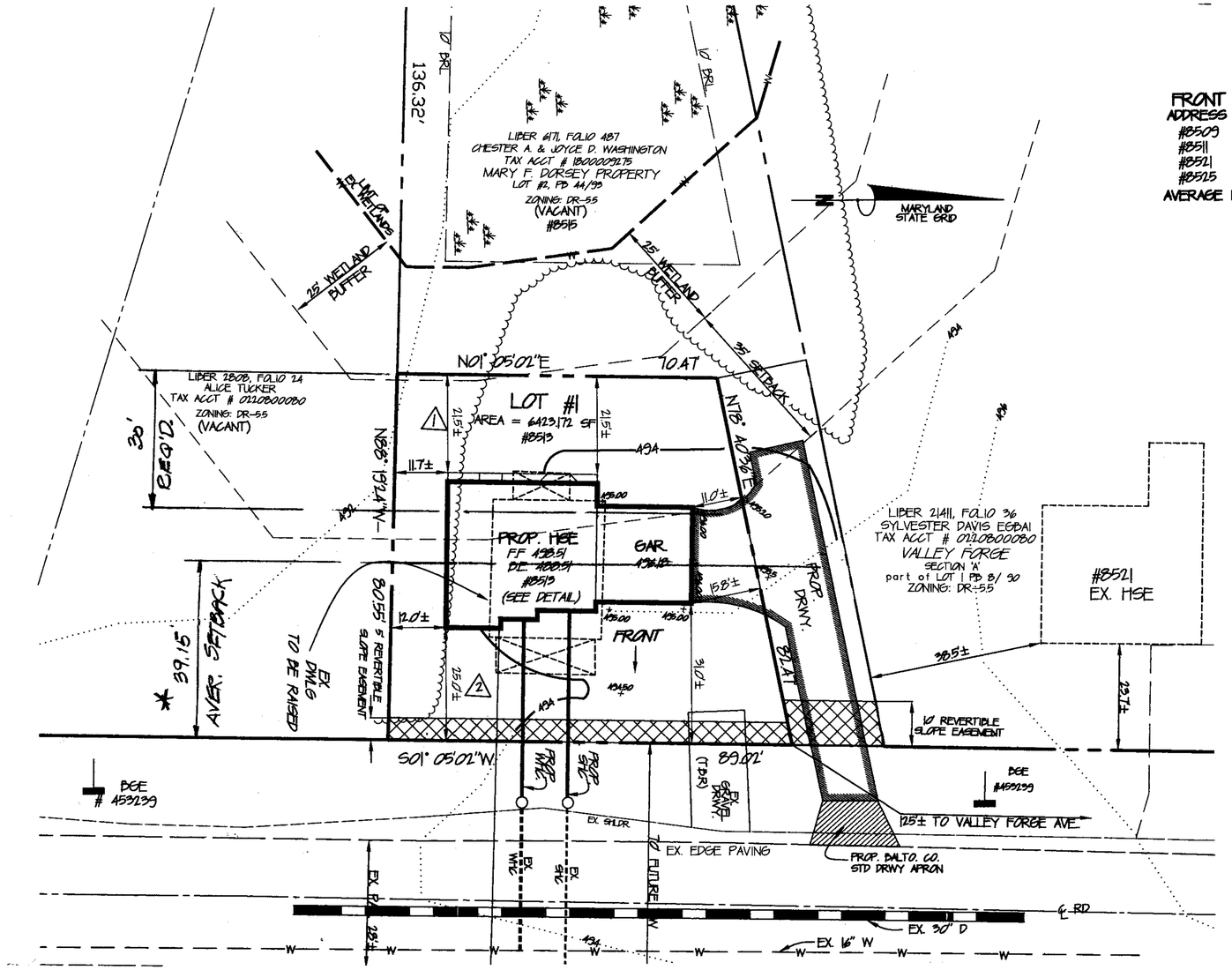
44-93

MSA SSU 1336 - 5653

FILE NO. 320

P 82585

PETITIONER'S EXHIBIT NO. #2.



FRONT YARD SETBACK CHART

ADDRESS	LOCATION	FRONT YARD
#8509	22.0' EAST	53'
#8511	15.0' EAST	57.5'
#8521	58' WEST	23.7
#8525	22.0' WEST	22.7

AVERAGE FRONT YARD SETBACK = 39.15' *

VICINITY MAP
SCALE: 1" = 2000'

GENERAL NOTES:

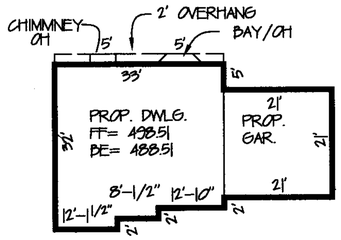
1. AREA OF LOT = 6,423.72 SF
2. EXISTING ZONING = DR-5.5 200 SCALE MAP NW 7-H
3. TAX ACCOUNT # 1800009274
4. DEED REFERENCE LIBER 6202, FOLIO 306
5. TAX MAP #77 GRID 10, PARCEL # 1210
6. CENSUS TRACT #401601
   REGIONAL PLANNING DISTR. #312
   WATERSHED PATAPSCO
   SUBSEWERSHED PATAPSCO
7. SCHOOL DISTRICTS: WINAND ELEMENTARY SCHOOL
   OLD COURT MIDDLE SCHOOL
   RANDALLSTOWN HIGH SCHOOL
8. ELECTION DISTRICT – 2
9. COUNCILMANIC DISTRICT –2
10. WATER: PUBLIC, SEWER: PUBLIC
11. THE PROPERTY IS NOT LOCATED IN THE CHESAPEAKE CRITICAL AREA
12. THE PROPERTY IS NOT LOCATED IN A 100 YR. FLOOD PLAIN
13. THE PROPERTY AND BUILDING ARE NOT HISTORIC .
14. THERE ARE NO PRIOR ZONING HEARINGS FOR THIS PROPERTY.

ZONING REQUEST

⚠1 A VARIANCE IS REQUESTED FROM SECTION 1B02.3C B.C.Z.R. FOR A 21.5 FT. REAR YARD IN LIEU OF THE REQUIRED 30 FT. MINIMUM REAR YARD

⚠2 A VARIANCE IS REQUESTED FROM SECTION 303.1 B.C.Z.R. FOR A 25 FT. FRONT YARD IN LIEU OF THE REQUIRED AVERAGE FRONT YARD OF 39.15 FT.

PETITIONER'S
EXHIBIT NO. #1



HOUSE DETAIL
SCALE: 1"=10'

DEVELOPER/APPLICANT:

PEEK ASSOCIATES, LLC.
C/O DUNCAN PEEK
6020 PLATED REED
COLUMBIA , MD. 21046
PHONE #410-997-4040

OWNER:

CHESTER A. WASHINGTON
JOYCE D. WASHINGTON
APT 315
9401 WHITE CEDAR DR
OWINGS MILLS MD 21117-7513

DEED REFERENCE:

LIBER 6202/306
MARY F DORSEY TO
CHESTER A. WASHINGTON &
JOYCE D. WASHINGTON
03/04/1980

PLAT TO ACCOMPANY HEARING FOR ZONING VARIANCE

#8513 WINANDS ROAD

LOT #1 OF THE
MARY F. DORSEY PROPERTY
PD 44/93

TAX MAP 77 GRID 10 — PARCEL #1210
2ND ELECTION DISTRICT — BALTIMORE COUNTY, MARYLAND

Prepared by:
CHARLES R. CROCKEN AND ASSOCIATES, INC.
Civil Engineering — Land Planning
PO Box 307
Westminster, MD 21157
Tel. (410) 549-2708
Fax. (410) 549-3069

SCALE: 1"= 50'	DATE: 12/18/05	SHEET 1 OF 1