IN RE: PETITION FOR ADMIN. VARIANCE

NE/S Nollmeyer Road, 81' NW of the c/l

Dublin Hill Road

(427 Nollmeyer Road)

15th Election District

6th Council District

William A. Wolfe, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 06-493-A

*

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, William A. Wolfe, and his wife, Drema F. Wolfe. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 1B01.2.C.4 and 301.1 of the 1970 Regulations, Bill 100-1970) to permit a side yard setback of 2 feet in lieu of the minimum required 6 feet for a proposed open projection (carport), and to amend the Final Development Plan for Carrollwood Manor, Plat 1, Block A, Lot 22, only. The subject property and requested relief are more particularly described on the site plan submitted with the Petition 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 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.

Based upon the evidence contained therein, I am persuaded to grant the requested variance. Relief is necessary given the location of existing improvements on the property. As shown



on the site plan, the Petitioners propose to construct an 11' x 30' open carport on the east side of their home, at the end of an existing driveway. An existing wood porch providing access to the home on that side of the property will be removed to accommodate the new construction. It was indicated that due to the layout of the existing house, and location of existing improvements on the property, there is no other practical location for the carport. However, due to the location of the existing house and narrow width of the lot, the carport will be located 2 feet from the side property line. Thus, the requested variance relief is necessary. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency, and the neighbor on the affected side has no objections, as evidence by his signed statement of support contained within the case file. Thus, I am persuaded that relief can be granted and that there will be no detrimental impact 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 23nd day of May 2006 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 1B01.2.C.4 and 301.1 of the 1970 Regulations, Bill 100-1970) to permit a side yard setback of 2 feet in lieu of the minimum required 6 feet for a proposed open projection (carport), and to amend the Final Development Plan for Carrollwood Manor, Plat 1, Block A, Lot 22, only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

> The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her 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.

-Zoning Commissioner for Baltimore County

WJW:bjs



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 427 NOLLMEYER ROAD

tor the property	which is presently zoned ORS.5
This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section	is described in the description and plat attached hereto and
to permit a proposed open projection (comport of the minimum required 6 feet, and to a Manor, Plat 1, Block A, Lot 22.	n(s) 1,2,C.4 & 301.1,1970 Zoning Regulations, Bill 100-19 1) with a side yard setback of 2 teet in lieu imend the Final Development Plan for Carnollu
of the zoning regulations of Baltimore County, to the zoning law of this petition form.	w of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the zo I, or we, agree to pay expenses of above Variance, advertising, post regulations and restrictions of Baltimore County adopted pursuant to	ling, etc. and further agree to and are to be bounded by the zoning
•	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:	Legal Owner(s):
Name - Type or Print	NILLIAM A WOLFE Name - Type or Print Wolfe Signature Wolfe Note No
Signature	Signature DREMA F. WOLFE
Address Telephone No.	Name - Type or Print Drema fr. Walfe
City State Zip Code	Signature
Attorney For Petitioner:	427 NOCCMEMER ROAD 410335-730 Address Telephone No.
Name - Type or Print	BACTIMORE MD 2/220 City State Zip Code
Signature	Representative to be Contacted:
Company	Name
Apdress Telephone No.	Address Telephone No.
State Zip Code	City State Zip Code
A Public Hearing having been formally demanded and/or found to be response of the subject matter of this equations of Baltimore County and that the property be reposted.	equired, It is ordered by the Zoning Commissioner of Baltimore County, is petition be set for a public hearing, advertised, as required by the zoning
CASE NO. $06-493-A$ Review	Zoning Commissioner of Baltimore County ewed By Date

Estimated Posting Date

Affida Vit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at	427 NOL	LMEYER ROAD	
	Address BACTIMOR City	E MD State	2/2/20 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	wing are the facts upo	on which I/we base the req	•
Protection from elements	for elderly	L'homeowners L	lease
reference attached ph	tos to see	that there is	no
Protection from elements reference attached she other area on proper	ty which c	an accomoda	te Car port.
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed additional information.	l, Affiant(s) will be require	d to pay a reposting and
Melland Wolfe Signature	Signa	Dema F.	Walfe
Signature MILLIAM A. WOLFE Name - Type or Print	U.g.	DREMA F. Wo e - Type or Print	L-FE
STATE OF MARYLAND, COUNTY OF BALTII	MORE, to wit:		
I HEREBY CERTIFY, this $29th$ day of N of Maryland, in and for the County aforesaid, per N	Parch ersonally appeared	, <i>2006</i> _, before me, a	Notary Public of the State
William A. Wolfe & Drema the Affiant(s) herein, personally known or satisf	F. Wolte actorily identified to me	e as such Affiant(s).	
AS WITNESS my hand and Notarial Seal			
•	Notary Publi	ic E. Slevens	
	_	sion Expires 8-1-07	· · · · · · · · · · · · · · · · · · ·
REV 10/25/01			•

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	427 NOLLMEYE	ER ROAD	
	Address BALTIMORE City	M D State	2/220 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship	owing are the facts upon which ip or practical difficulty):	ı I/we base the requ	·
Intection from elements for Hacked photoes to see to property which can accord	r elderly homeon that there is no date car port.	whers. Ele other are	ase reference
That the Affiant(s) acknowledge(s) that if a fo	ormal demand is filed, Affiant	t(s) will be required	to pay a reposting and
advertising fee and may be required to provide a signature and may be required to provide a signature		ma F. Wa	Ufe_
WILLIAM A. WOLFE Name - Type or Print	Name - Type o	r Print	E
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this 29th, day of of Maryland, in and for the County aforesaid, per William A, Wolfe & Drema the Affiant(s) herein, personally known or satisfa	arch ersonally appeared F. Wolfe		Notary Public of the State
AS WITNESS my hand and Notarial Seal	1		
	Notary Public		<u>, , ,</u>
	My Commission Exp	oires 8-1-01	

REV 10/25/01



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 427 Noccmeyer Road Which is presently zoned Road

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

is the subject of this Petition.

perjury, that I/we are the legal owner(s) of the property which

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)

[BO2.3.B(1BO1.2.C.4 & 301.1, 1970 Zoning Regulations, Bill 100-1970)]

to permit a proposed open projection (carport) with a side yard setback of 2 feet in lieu of the minimum required to feet, and to amend the Final Development Plan for Carrollwood Manor, Plat 1, Block A, Lot 2a.

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.

Contract Purchaser/Lessee: <u>Legal Owner(s):</u> Name - Type or Print Name - Type or Print Signature Signature LEMA Telephone No. Address Name - Type or Print Zip Code Signature State City 410-335-7306 Attorney For Petitioner: Address Telephone No. BALTIMORE 21220 State Name - Type or Print Zip Code Representative to be Contacted: Signature Name Company Telephone No. Telephone No. Address Zip Code City State Zip Code State APMIDITE 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 this that the subject many and that the property be reposted. Zoning Commissioner of Baltimore County Reviewed By Date 10 25/01 **Estimated Posting Date**



JAMES T. SMITH, JR. County Executive

May 22, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Mr. & Mrs. William A. Wolfe 427 Nollmeyer Road Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE

NE/S Nollmeyer Road, 81' NW of the c/l Dublin Hill Road (427 Nollmeyer Road)

15th Election District – 6th Council District

William A. Wolfe, et ux - Petitioners

Case No. 06-493-A

Dear Mr. & Mrs. Wolfe:

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,

Zoning Commissioner for Baltimore County

WJW:dlw

cc: People's Counsel; Case File

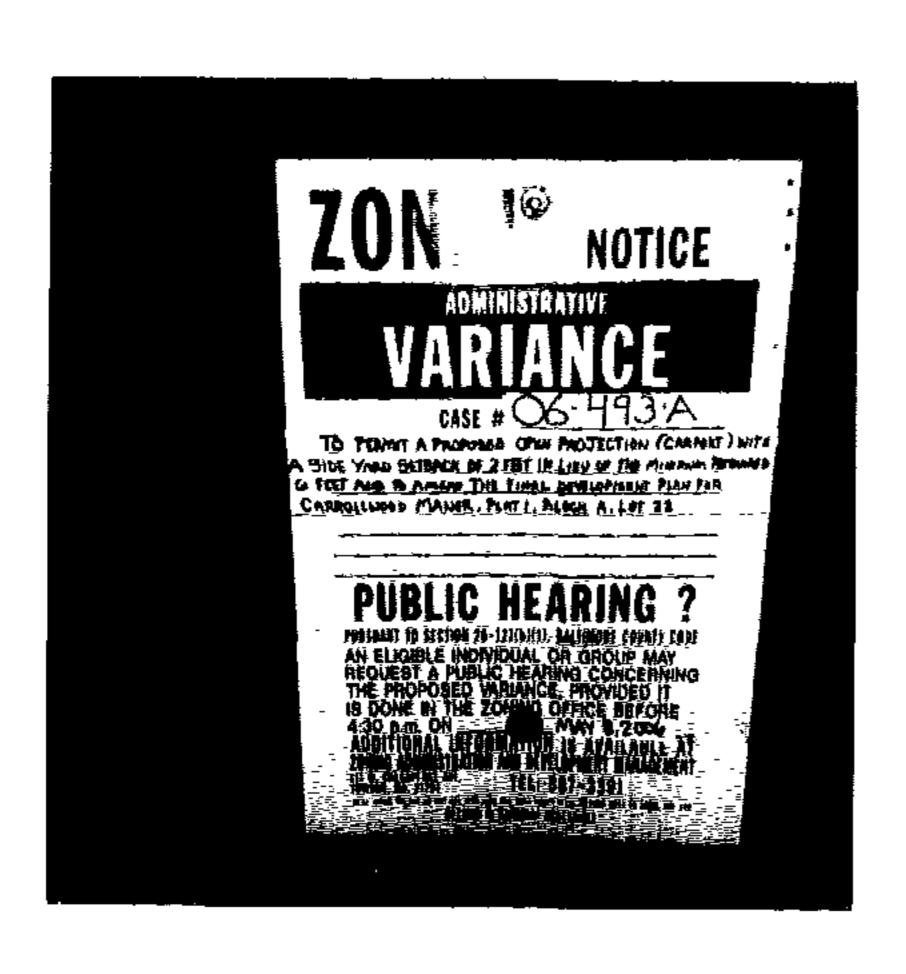
ZONING DESCRIPTION FOR <u>427 NOCC meyer Rond</u> (address)
Beginning at a point on the side of side of
name of street on which property fronts) which is (number of feet of right-of-way width)
wide at the distance of 81 north west of the (number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street <u>Nublin Hall Rand</u> (name of street)
which is <u></u> 4 な of right-of-way width) wide. *Being Lot # <u>22</u> ,
Block A , Section # in the subdivision of <u>CARROLL wood MANOR</u> PLAT (name of subdivision)
as recorded in Baltimore County Plat Book #3&, Folio #&&,
containing 7350 59 FT . Also known as 427 Nocconeyer Early (property address)
and located in the 15 Election District, 6 Councilmanic District.

06-493-1

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CERTIFICATE OF POSTING

	RE: Case No.: 00-473-A
•	Petitioner/Developer: [1]16 [1]AM
	+ DREMA WOLFE
	Date of Hearing/Closing: 5 - 8 - 06
Saltimore County Department of Permits and Development Manageme County Office Building, Room 111 11 West Chesapeake Avenue Powson, Maryland 21204	nt
ATTN: Kristen Matthews ((410) 887	-3394}
Ladles and Gentlemen:	•
This letter is to certify under the pena osted conspicuously on the property	lties of perjury that the necessary sign(s) required by law were located at:
427	VOLLMEYER ROAD
j a × 14 g.a.d., pa is Ezander alaja, r. j. antika arag kraja antiga paki propins a kraja antik kraja de antika kraja de antika de ant	
The sign(s) were posted on	4-23-06
	(Month, Day, Year)
	Sincerely,



Robert Black 4-24-00
(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)

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case N	lumber	06-	493	}	-A	Address	427	Nolline	yer Ro	oad_	
Contac	t Persoi	n;			Please Print You		^	Phon	e Numbe	r: 410-l	887-3391
Filing l	Date: _	4/	<i>?</i>	•		sting Date:	4/23/0	<u>6</u> C	losing D	ate:	5/8/06
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.											
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(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- 493 -A Address 427 Nollinger Road											
Petitioner's Name William & Overna Wolfe Telephone 410-335-7306											
Posting Date: $\frac{4/23/06}{23/06}$ Closing Date: $\frac{5/8/66}{2}$											
Wording for Sign: To Permit a proposed open projection (carport) with a side yard set back of 2 feet in lieu of the minimum required of feet, and to amend											
set back of 2 feet in lieu of the minimum required for feet, and to amend											
the Final Development Plan for Carrollwood Manor, Plat 1, Block A, Lot 22.											
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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

May 8, 2006

William A. Wolfe Drema F. Wolfe 427 Nollmeyer Road Baltimore, MD 21220

Dear Mr. and Mrs. Wolfe:

RE: Case Number: 06-493-A, 427 Nollmeyer Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 10, 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



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

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-493- 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

DATE: May 8, 2006

MAY 1 5 2006

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 25, 2006

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

Department of Permits & Development

SUBJECT:

Zoning Advisory Committee Meeting

For May 1, 2006 Item Nos. 491, 492, 493, 494, 495, 498, 499, 500, 502, 504, 505, 507, 508, 509,

511, 513, 514, 515, 516, 517

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-04252006.doc

Chris Davis 429 Nollmeyer Road Baltimore, MD 21220

March 29, 2006

To Whom It May Concern:

I, Chris Davis, residing at 429 Nollmeyer Road on the property adjacent to William Wolfe at 427 Nollmeyer Road have no objections to the construction of a carport on that property.

Chris Davis 3-29-06 Chris Davis

06-493-A



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

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

Maryland Department of Transportation

4.21-06 Date:

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

RE:

Baltimore County

Item No.

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

1. 1. South

Engineering Access Permits Division

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

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 April 21,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 24, 2006

Item Numbers: 491-515

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.

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

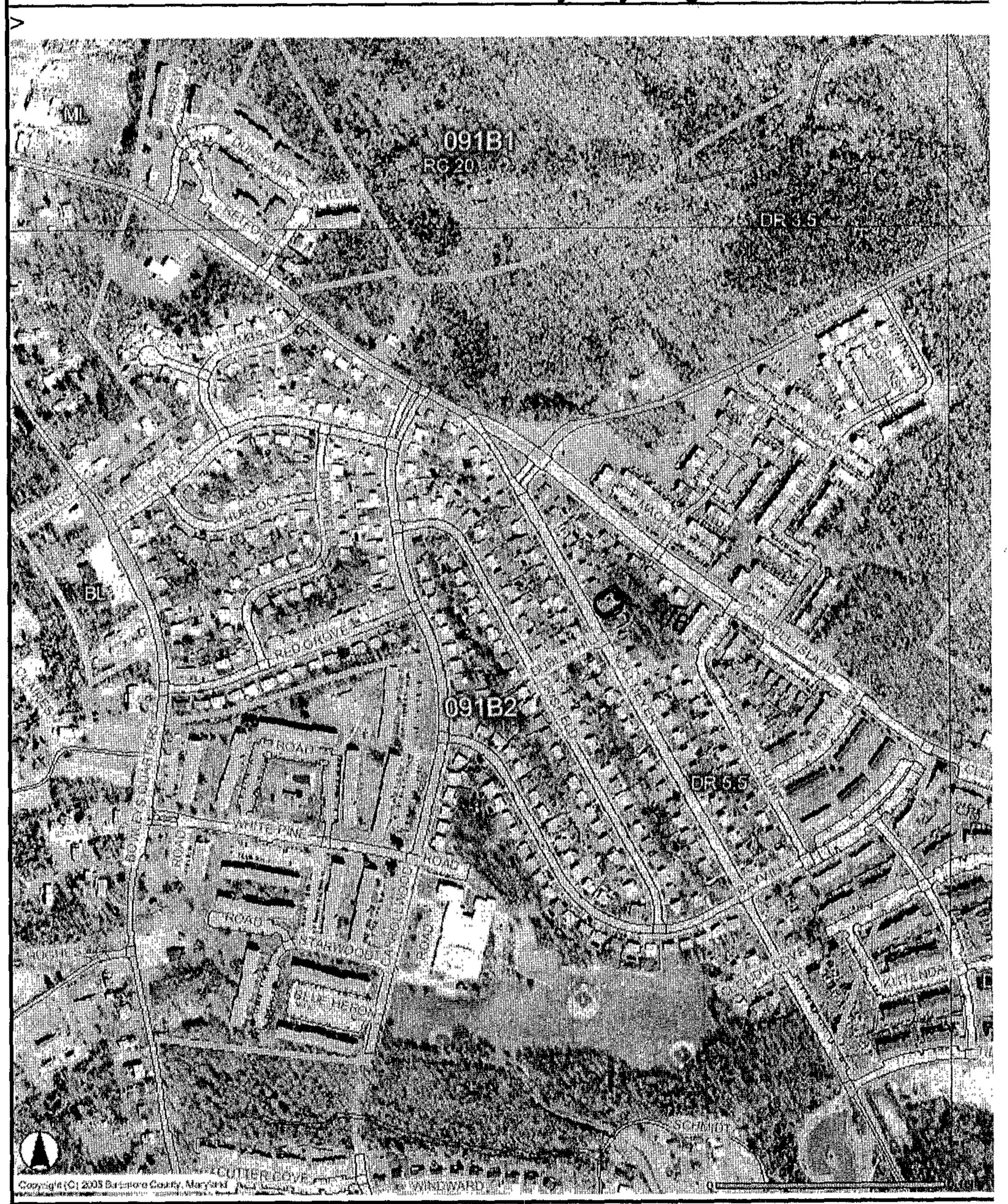
Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

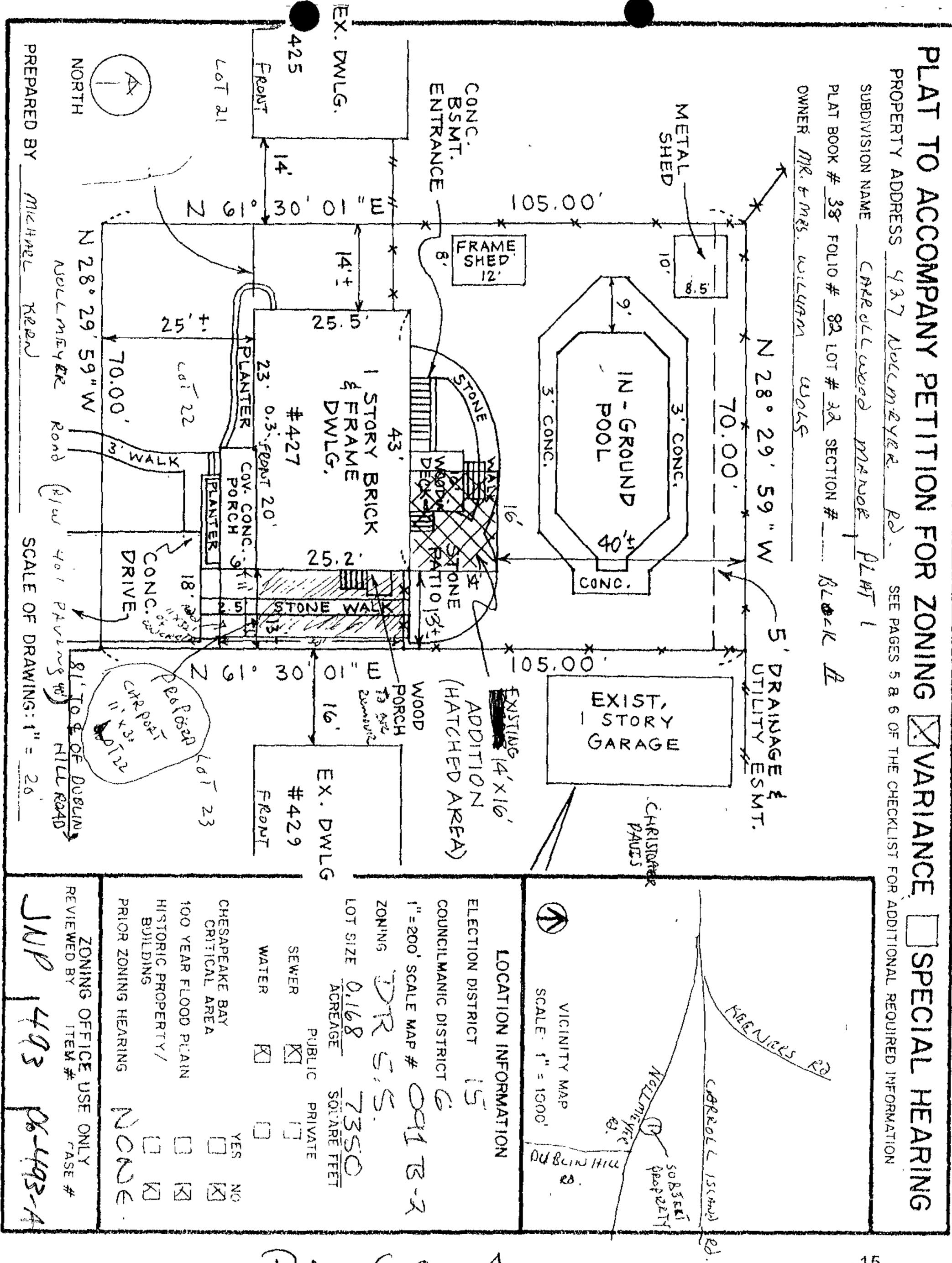
cc: File



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

Baltimore County - My Neighborhood





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06-49-1



06-473-1



06-493-A



THE THIS ISSUE

06-493-A