

IN RE: **PETITION FOR ADMIN. VARIANCE**
W/S Wesland Circle, 350' W of the c/l
Fox Hollow Road
(9601 Wesland Circle)
2nd Election District
4th Council District

Dominic L. King, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 06-530-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, Dominic L. King, and his wife, Tiffany T. King. The Petitioners seek relief from Section 1B02.3A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504.2 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a rear yard setback of 15 feet in lieu of the required 30 feet for a proposed sunroom addition to an existing single family dwelling, and to amend the Final Development Plan for Wildwood Park, Lot 43, only, accordingly. 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.

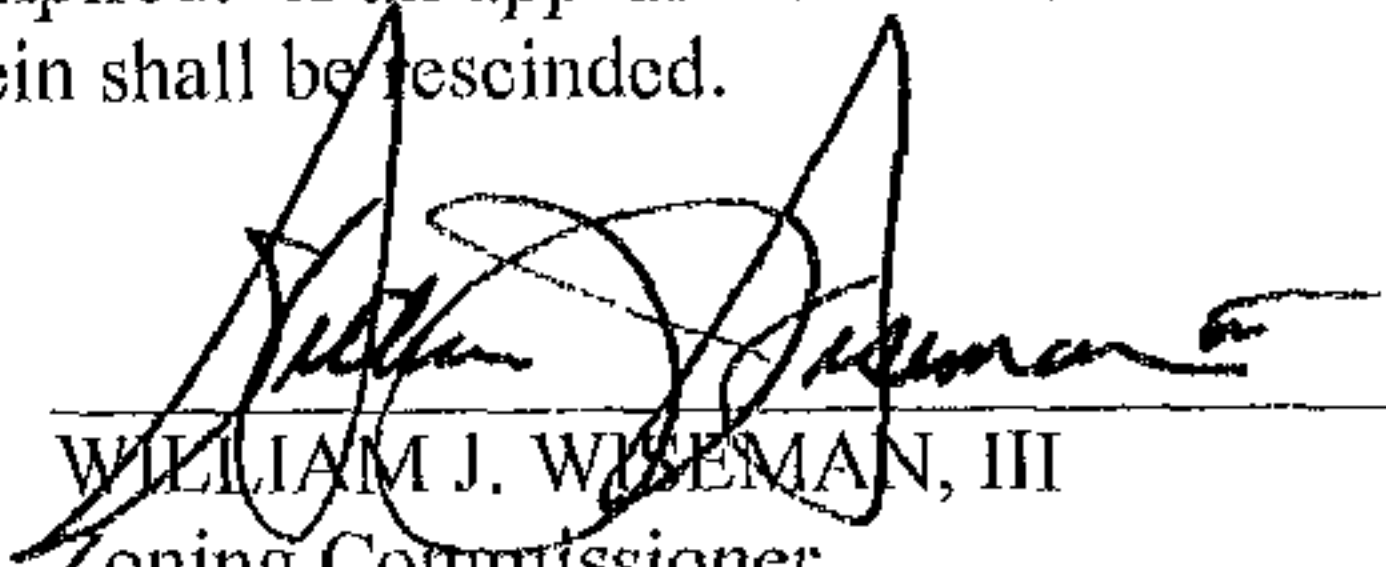
5-24-09
Jesse
By

Based upon the evidence contained therein, I am persuaded to grant the requested variance. Relief is necessitated given the unique configuration of the property and the layout and location of the existing home thereon. As shown on the site plan, the property is located along a curve in Wesland Circle with its widest portion towards the front of the lot. The house has been centered on the lot; however, is located only 30 feet from the rear property line. The Petitioners propose to construct a 16' x 16' sunroom addition on the rear of the existing house to provide additional living space for their growing family. Due to the unique configuration of the property and the location of the house thereon, any addition to the rear of the home would necessitate variance relief. There were no adverse comments submitted by any County reviewing agency, and none of the neighbors voiced any objection. Thus, I am persuaded that relief can be granted without 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.

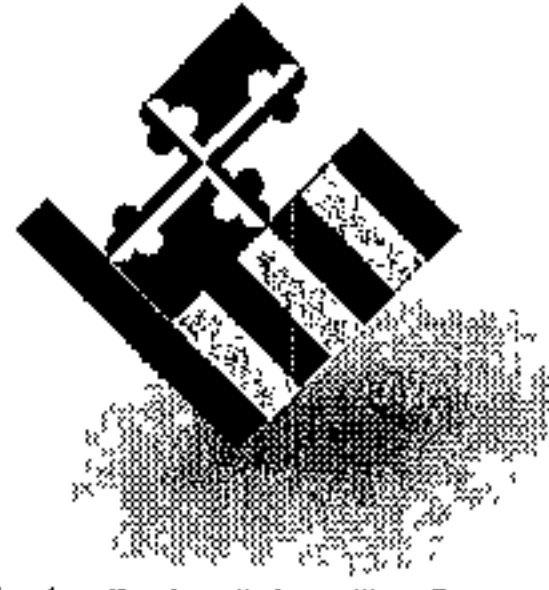
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of May 2006 that the Petition for Administrative Variance seeking relief from Section 1B02.3A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504.2 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a rear setback of 15 feet in lieu of the required 30 feet for a proposed sunroom addition to an existing single family dwelling, and to amend the Final Development Plan for Wildwood Park, Lot 43, only, 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.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

Wesland Circle
Date 5-24-06
By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

May 24, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. & Mrs. Dominic L. King
9601 Wesland Circle
Randallstown, Maryland 21133

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
W/S Wesland Circle, 350' W of the c/l Fox Hollow Road
(9601 Wesland Circle)
2nd Election District – 4th Council District
Dominic L. King, et ux - Petitioners
Case No. 06-530-A

Dear Mr. & Mrs. King:

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,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

cc: People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

9601 Westland Circle

for the property located at Randallstown MD 21133

which is presently zoned DR-3.5

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) 1202, 3A.1. (BCZP), 504.2 (CMDP)

TO PERMIT AN ADDITION (SUNROOM) WITH A REAR YARD SETBACK OF 15-FEET IN LIEU OF THE REQUIRED 30-FEET AND TO AMEND THE F.D.P. FOR "WILDWOOD PARK", LOT #43.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 1st day of May, 2006, 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):

Dominic Labron King

Name - Type or Print

Dominic Labron King

Signature

Tiffany Timika King

Name - Type or Print

Tiffany Timika King

Signature

9601 Westland Circle

Address

410-496-3111

Telephone No.

Randallstown MD

City

State

21133

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 06-530-A

Reviewed By D.T. Date 4/21/06

Estimated Posting Date 4/30/06

REV 0/25/01

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

9601 Westland Circle
Address
Randallstown MD 21133
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):

ADDED SPACE for increase in family size,
^ to accomodate the

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.

Dominic Labron King
Signature
Dominic Labron King
Name - Type or Print

Tiffany Timika King
Signature
Tiffany Timika King
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of April, 2006, 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

Lesa R Williams
Notary Public

My Commission Expires 10-1-06

**ZONING DESCRIPTION FOR:
9601 Wesland Circle, Randallstown, Maryland 21133**

Beginning at the point on the west side of Wesland Circle which is 50 feet wide at the distance of 350 feet west of the centerline of the nearest improved intersecting street, Fox Hollow, which is 50 feet wide. Being Lot #43, Block-n/a, Section #n/a in the subdivision of Winands Woods as recorded in Baltimore County Plat Book #68, Folio #102, containing .2045 acres. Also known as 9601 Wesland Circle, Randallstown, Maryland and located in the Second Election District, Fourth Councilmanic District.

06-530-A

No. 1000

DATE 4/15/12 ACCOUNT 60100-6150

AMOUNT	\$
15	

RECEIVED
FROM:

FOR: Mr. J. Edgar Hoover

1-2-14

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

[illegible]

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 06-530-A

Petitioner/Developer: KING

Date Of Hearing/Closing: 5/15/06

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

Attention:

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 9601 WESLAND CIRCLE

This sign(s) were posted on April 29, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 4/29/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

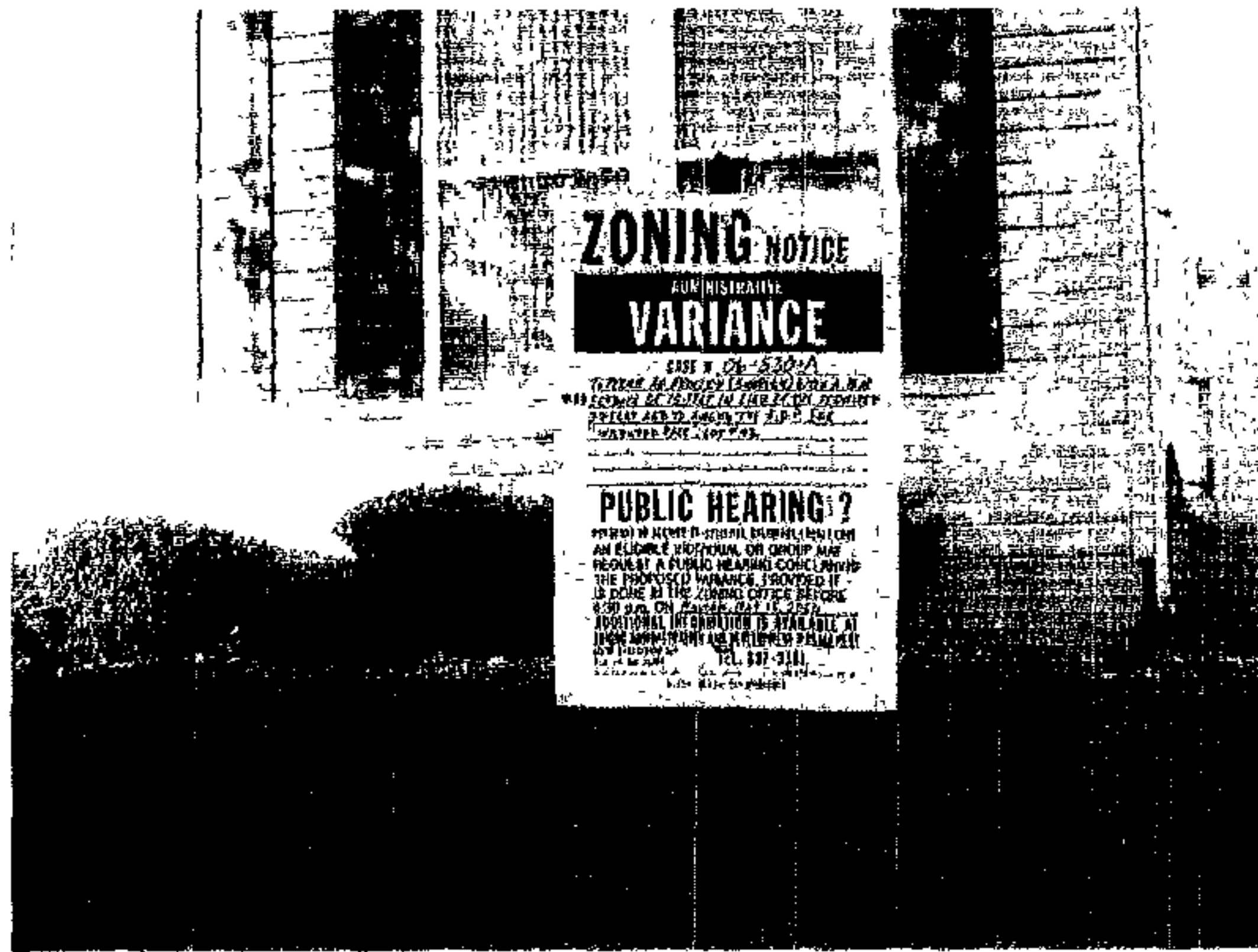
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000644 (1152x864x24b jpeg)



master file 4/29/06

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 530 -A Address 9601 WESLAND CIRCLE

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/21/06 Posting Date: 4/30/06 Closing Date: 5/15/06

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- 530 -A Address 9601 WESLAND CIRCLE

Petitioner's Name RING Telephone 410-496-3111

Posting Date: 4/30/06 Closing Date: 5/15/06

Wording for Sign: To Permit AN ADDITION (SUNROOM) WITH A REAR YARD

SETBACK OF 15-FEET IN LIEU OF THE REQUIRED 30-FEET AND

TO AMEND THE FDP FOR "WILDWOOD PARK", LOT 43.

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: 06-530-A

Petitioner: KING

Address or Location: 9601 WESLAND CIRCLE

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. DOMINIC L. KING

Address: 9601 WESLAND CIRCLE

RANDALLSTOWN, MD 21133

Telephone Number: 410-502-7934 (W), 410-496-3111 (H)

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 06-530 A

Date Completed/Initials

4/25/06

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder, complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

4/29/06
ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

5/10
COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

**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*

May 15, 2006

Dominic Labron King
Tiffany Timika King
9601 Wesland Circle
Randallstown, MD 21133

Dear Mr. and Mrs. King:

RE: Case Number: 06-530-A, 9601 Wesland Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 21, 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 that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

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



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
111 West Chesapeake Avenue
Towson, Maryland 21204

May 2, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: May 1, 2006

Item No.: 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, (530),
531, 532, 533, 534, 535, 536.

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
Phone (O) 410-887-4881
Mail Stop - 1102F

cc: File

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





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

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

Maryland Department of Transportation

Date: 4.28.04

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

RE: Baltimore County
Item No. 530 DV

Dear Ms. Matthews:

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

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

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 23, 2006

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-530 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 Curtis Murray in the Office of Planning at 410-887-3480.

Division Chief:



LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 5, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2006
Item No. 519, 520, 521, 523, 524, 525,
526, 527, 529, 530, 531, 532, 533, 534,
535, and 05-558 SPH XA

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

DAK:CEN:clw

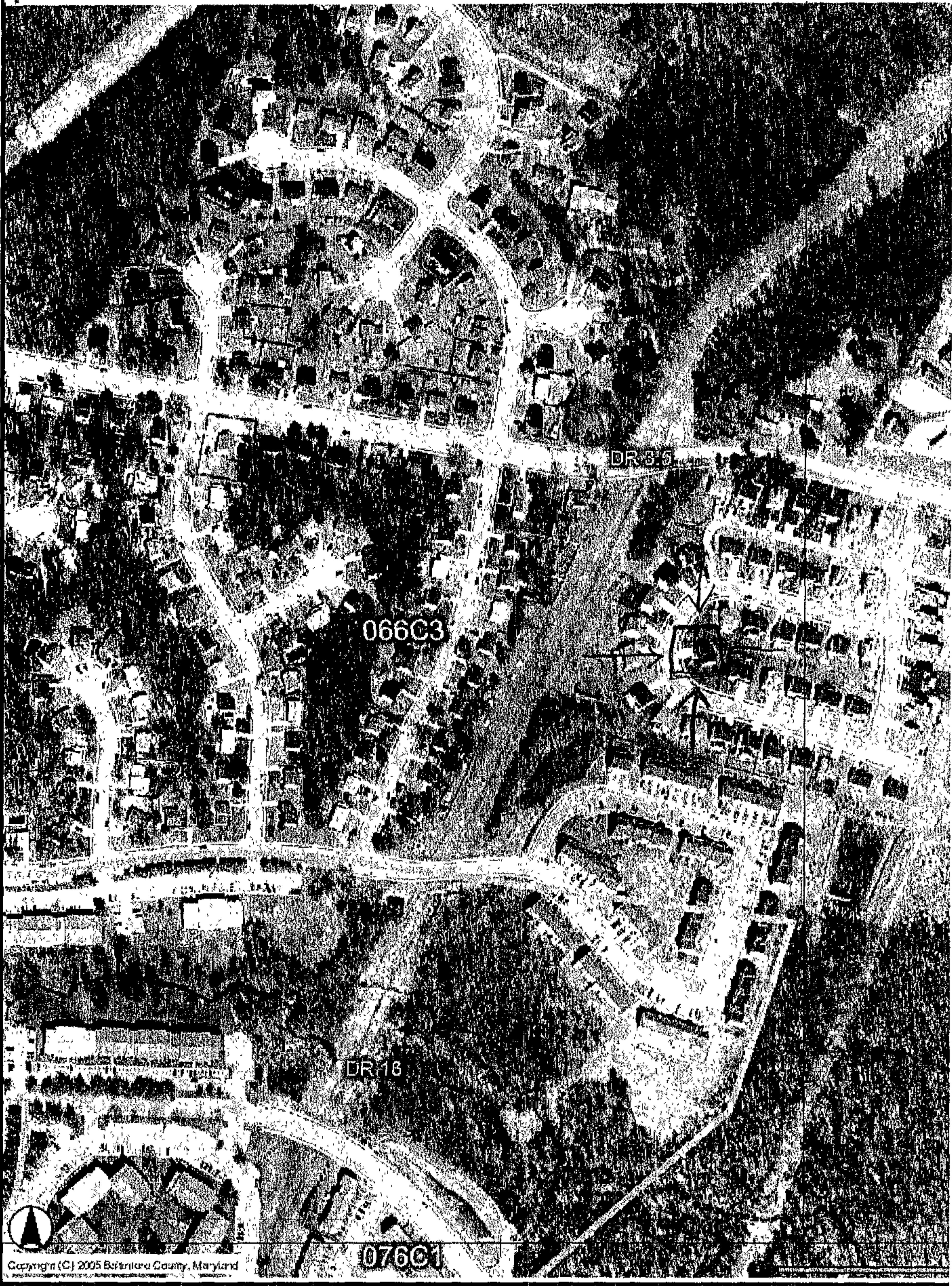
cc: File

ZAC-NO COMMENTS-05032006.doc

MAP # 06425



06-530-A



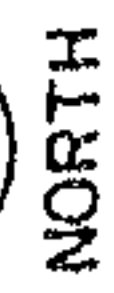
06-530-A

PLA

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

PLAY BOOK # 68 FOLIO # 102 LOT # 43 SECTION #

OWNER Dominic L and Tiffany I. King



380' ± to 6' of
Fox Hollow 25

SCALE OF DRAWING: 1" = 50'



VICINITY MAP
SCALE: 1" = 1000'

ELECTION DISTRICT 2

COUNCILMANIC DISTRICT 4

1" = 200' SCALE MAP # D666C33

ZONING DR 3.5

LOT SIZE .2045 8,907

QUARE FEET

ACREAGE

PRIVATE

MEMS

WATER

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN

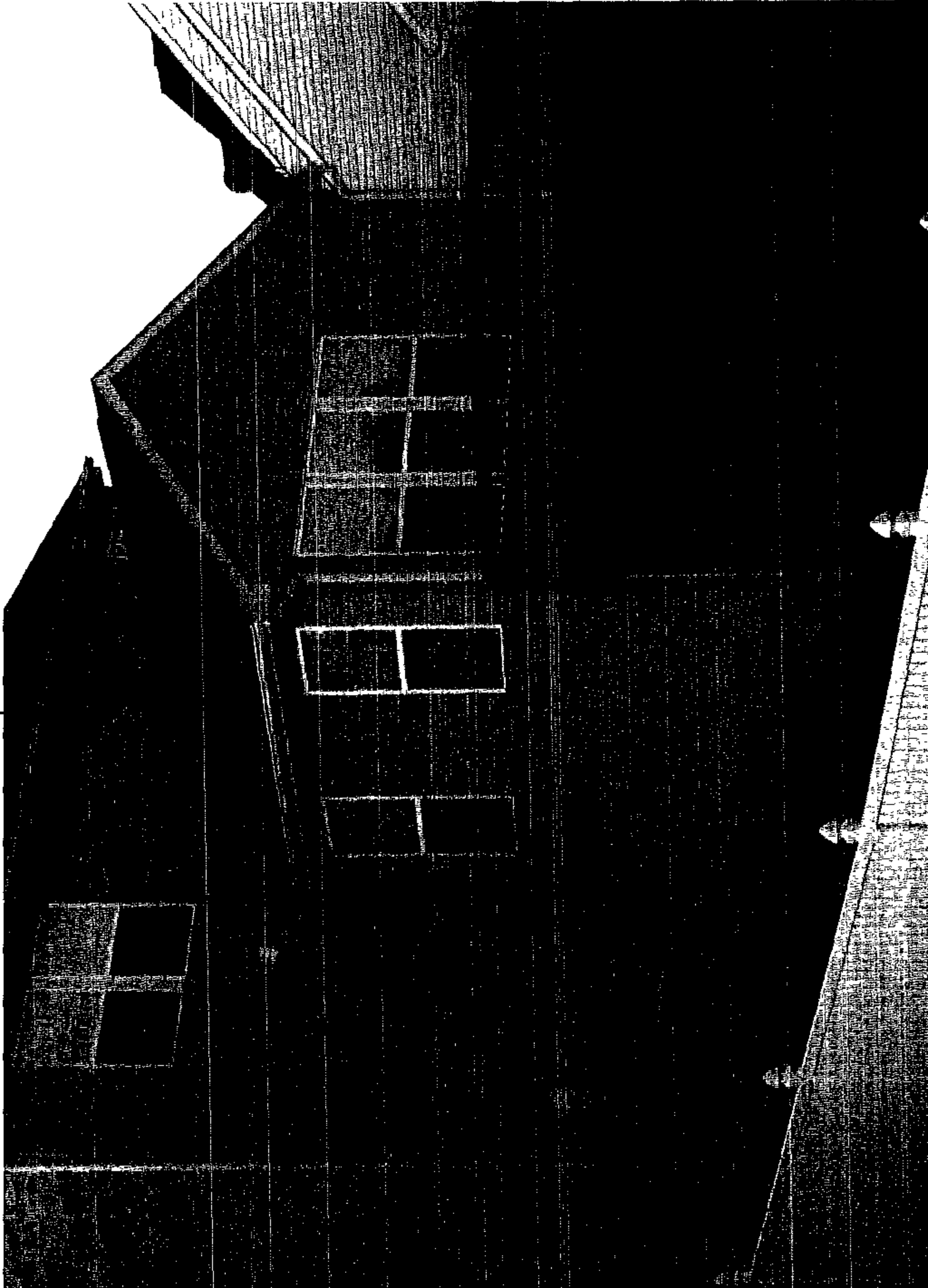
**HISTORIC PROPERTY/
BUILDING**

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

D.T. 530 06-530-A

James Thorne
lot # 45 9539 Westland



06-530-A

Peggy Bush Thomas
Lot 42 9603 Westland

Proposed 16x16
Addition site

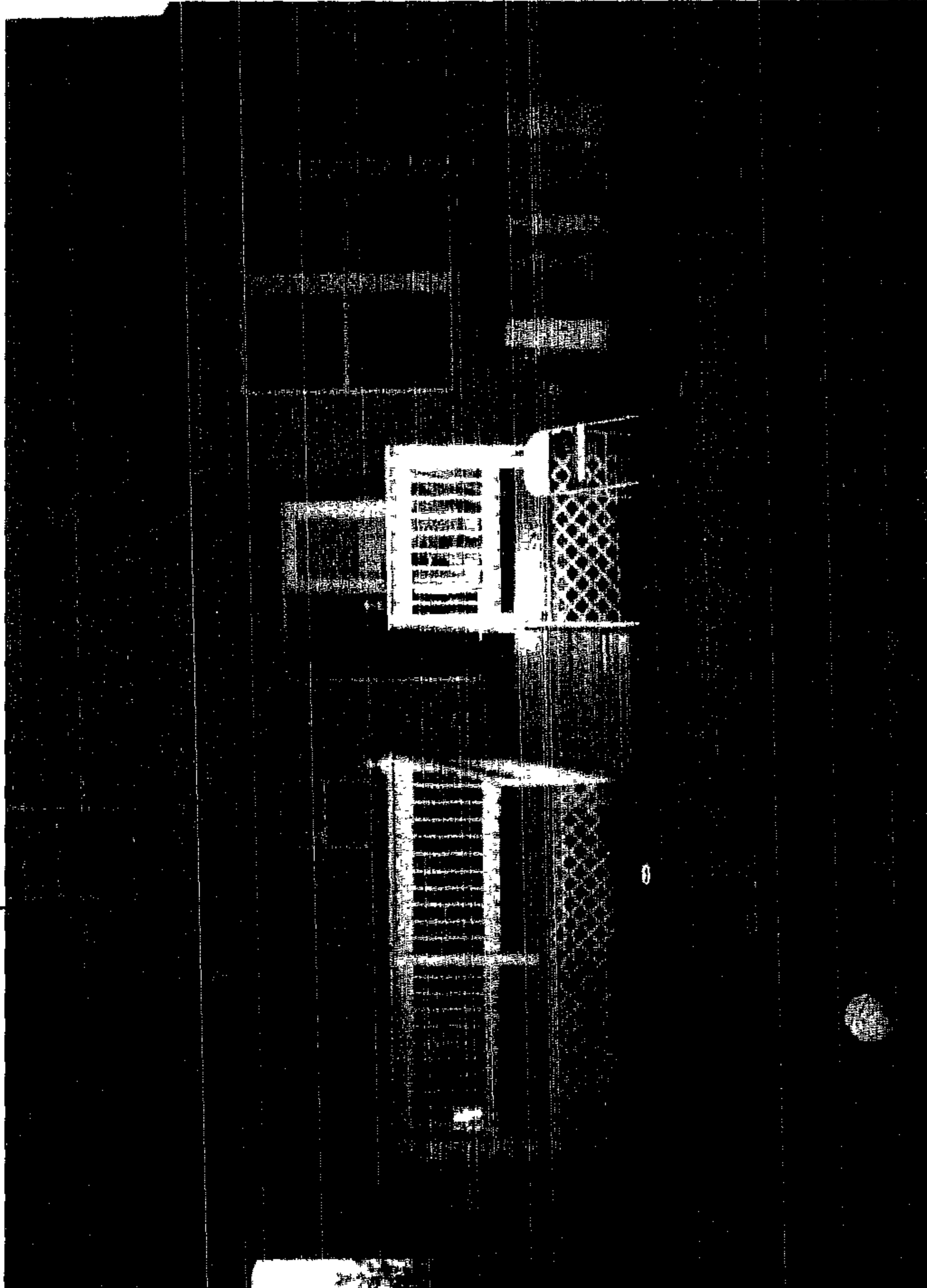
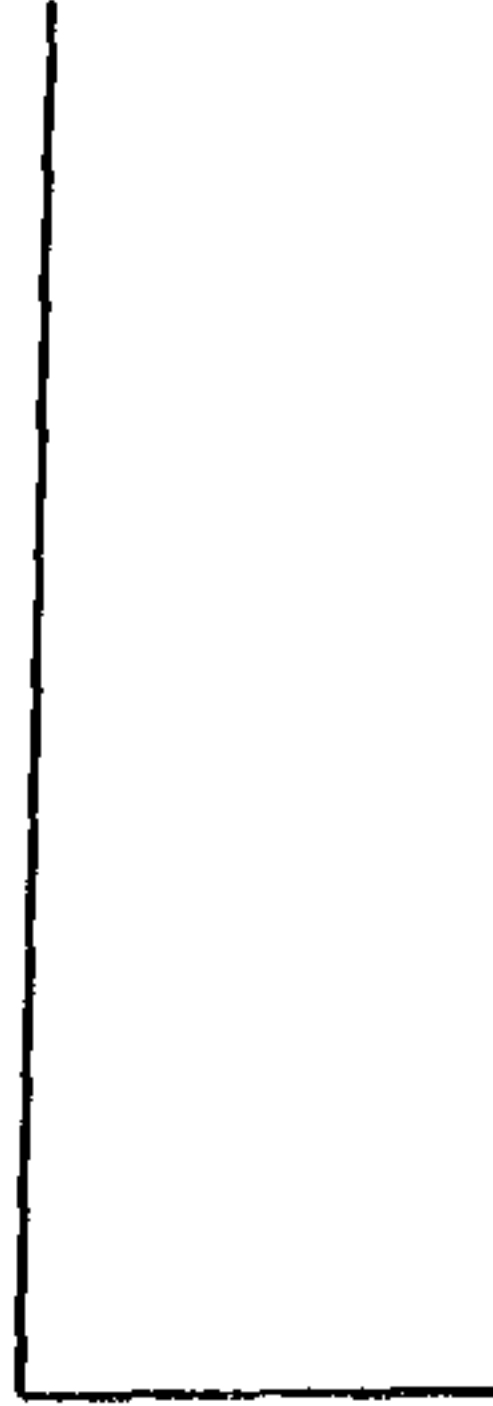
Dominic + Tiffany King
9601 Westland
Lot 43



Dominic and Tiffany King

9601 Westland Lot #43

proposed 16x16
Addition



Dominic & Tiffany King

9601 Wesland

Bruce & Darlene Jordan

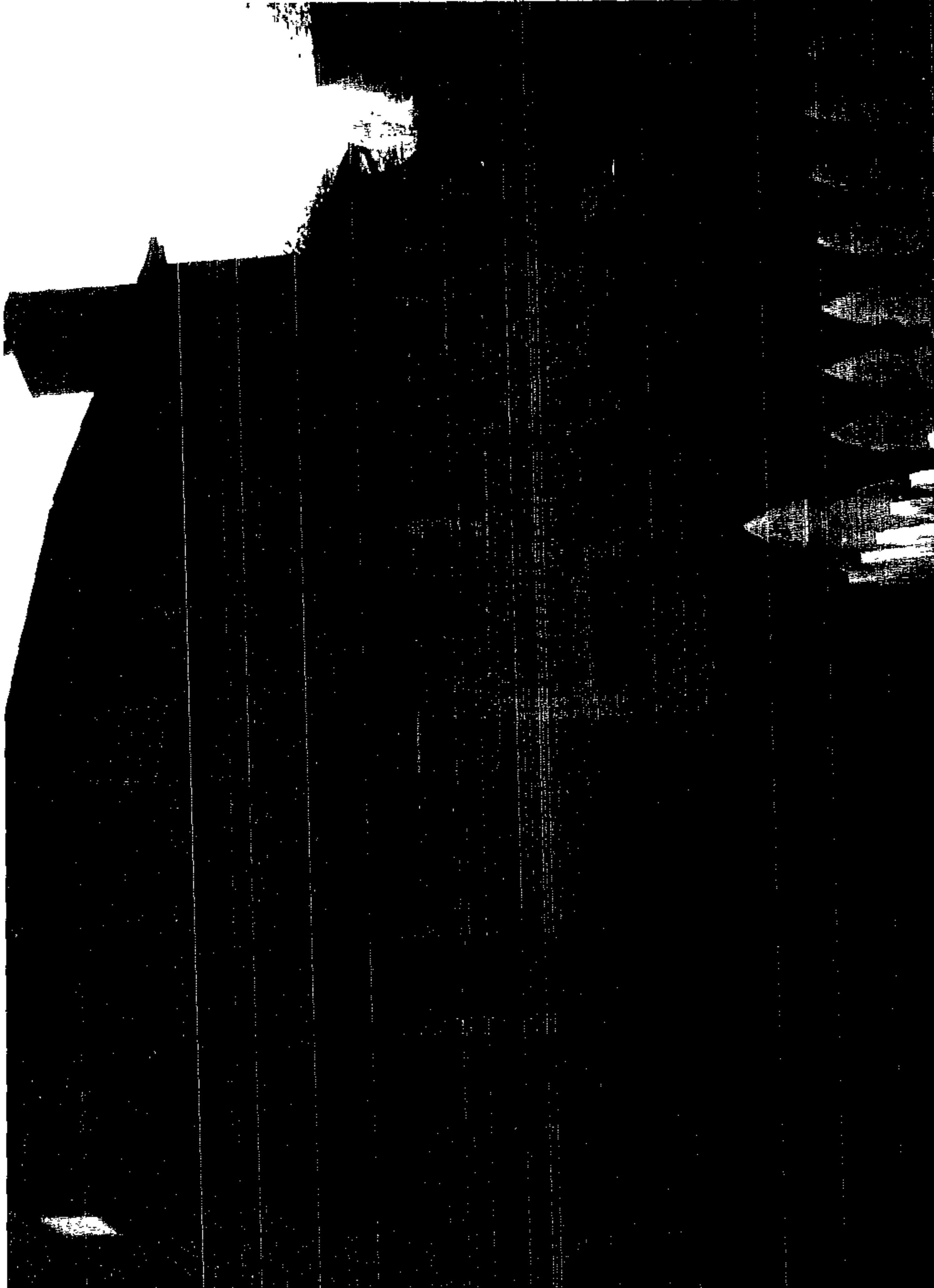
9541 Wesland Deed
12370/315

James Thome Deed 17134/245
9539 Wesland

Peggy Bush Thomas
Deed 12290/263
9603 Wesland

Dominic & Tiffany King

9601 Westland



Proposed 16x16
Addition

06-530-A

Bruce & Darlene Jordan

Lot # 44

9541 Wesland

James Thorne

Lot # 45

9539 Wesland

