

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/S of Pheasant Cross Drive, 625 feet		
W of the centerline of Rockland Hill Drive	*	ZONING COMMISSIONER
3 rd Election District		
2 nd Councilmanic District	*	OF BALTIMORE COUNTY
(7126 Pheasant Cross Drive)		
	*	
Alan K. Oman and Roberta C. Oman		
<i>Petitioners</i>	*	CASE NO. 06-566-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, Alan K. Oman and Roberta C. Oman. The variance request is for property located at 7126 Pheasant Cross Drive in the Green Gate subdivision area of Baltimore County. The variance request is from Sections 1B02.3.B and 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 13 feet in lieu of the required 15 feet for a sunroom. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners state that they would like to utilize an existing patio on the proposed side of the home for the foundation of the proposed sunroom. The existing single family dwelling was constructed too close to the side property lines, leaving no adequate space for enclosed improvements.

Zoning Advisory Committee Comments

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

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height

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 6-2-06
 [Signature]

and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 18, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs 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 Petitioner.

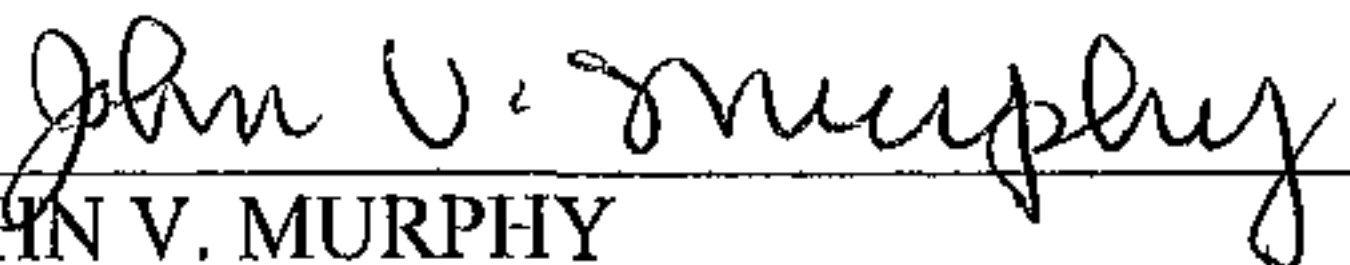
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 2nd day of June, 2006, that a variance from Sections 1B02.3.B and 1802.3.C.1 of

the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 13 feet in lieu of the required 15 feet for a sunroom.

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.

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:pz

ORDER RECEIVED FOR FILING
6-27-06
JVM



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 2, 2006

ALAN K. OMAN AND ROBERTA C. OMAN
7126 PHEASANT CROSS DRIVE
BALTIMORE MD 21209

Re: Petition for Administrative Variance
Case No. 06-566-A
Property: 7126 Pheasant Cross Drive

Dear Mr. and Mrs. Oman:

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 cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz
Enclosure

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 7126 Pheasant Cross Dr.
Address
Bel Air MD 21209
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):

The homeowner would like to utilize an existing patio on the proposed side of the home for the foundation of the proposed sunroom. The existing SFD was constructed too close to the side property lines, leaving no adequate space for enclosed improvements.

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.

K. Alan Orman
Signature
K. ALAN ORMAN
Name - Type or Print

Roberta Orman
Signature
Roberta E. Orman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28 day of April, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

K. Alan & Roberta Orman
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Joyce George Maggioni
Notary Public
My Commission Expires 3-1-09



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7126 Pheasant Cross Dr.
which is presently zoned DR2

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.B and 1802.3.C.1; BC2R,
To permit a side yard setback of 13 ft. in lieu of the
required 15 ft. for a sunroom.

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:

K. ALAN & Roberta C. ORMAN

Name - Type or Print

[Signature]

Signature

7126 Pheasant Cross DR - 410-484-3380

Address

Baltimore

City

MD

State

Telephone No.

21209

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Alan K. Orman

Name - Type or Print

[Signature]

Signature

Roberta C. Orman

Name - Type or Print

[Signature]

Signature

7126 Pheasant Cross Dr. 410-484-3380

Address

Baltimore

City

MD

State

Telephone No.

21209

Zip Code

Representative to be Contacted:

Jeffrey Hailman

Name

221 Gateway Dr.

Address

Belt Air

City

MD

State

410-557-0555

Telephone No.

21014

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 _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-566-A

Reviewed By [Signature]

Date 5-5-06

Estimated Posting Date 5-14-06

REV 10/25/01

ZONING DESCRIPTION FOR 7126 Pheasant Cross Drive

Beginning at the point on the East side of Pheasant Cross Drive which is 45 feet wide at the distance of 625 feet west of the centerline of the nearest improved intersecting street Rockland Hill Drive which is 50 feet wide.

Being Lot # 15, Block G, Section # 5 in the subdivision of Green Gate as recorded in the Baltimore County Plat Book # 38, Folio # 76, containing 13,050 sq. feet. Also known as 7126 Pheasant Cross Drive and located in the 3rd Election District, 2nd Councilmanic District.

RECEIVED FOR FILING
6-27-97
[Signature]

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 8277

DATE 5-7-66 ACCOUNT 601-086-6130

AMOUNT \$ 65.00

RECEIVED FROM: A. V. OKMAN 7126 Ph-Asst

FOR: AD. V. A. 2. DE.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED BY: 5/7/66 TIME 14:20
RECEIVED BY: 5/7/66 TIME 14:20
RECEIVED BY: 5/7/66 TIME 14:20
RECEIVED BY: 5/7/66 TIME 14:20

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RECEIVED BY: 5/7/66 TIME 14:20
RECEIVED BY: 5/7/66 TIME 14:20

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 06-566-A

Petitioner/Developer: ALAN
ORMAN

Date Of Hearing/Closing: 6/2/06

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 7126 PHEASANT CROSS DR.

This sign(s) were posted on May 18, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 5/18/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto, Md 21220

(443-629 3411)

im000683 (1152x864x24b jpeg)



W. J. Martin Jr. 5/18/06

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 566 -A

Address 7126 Pheasant Cross Rd. DR.

Contact Person: J. MEERREY
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 5-5-06

Posting Date: 5-14-06

Closing Date: 5-29-06

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- 566 -A Address 7126 Pheasant Cross Rd. DR.

Petitioner's Name ALAN ORMAN Telephone 410-484-3380

Posting Date: 5-14-06 Closing Date: 5-29-06

Wording for Sign: A VARIANCE
To Permit A SIDEYARD SETBACK OF 13 ft.
IN LIEU OF THE REQUIRED 15ft for a
SUNROOM.

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: 566

Petitioner: ALAN ORMAN

Address or Location: 7126 PHEASANT CROSS DR. BALTO., Md. 21209

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: SAME

Telephone Number: 410-484-3380

**Department of Permits
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 30, 2006

Alan K. Orman
Roberta C. Orman
7126 Pheasant Cross Drive
Baltimore, MD 21209

Dear Mr. and Mrs. Orman:

RE: Case Number: 06-566-A, 7126 Pheasant Cross Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 5, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Jeffrey Hoilman 221 Gateway Drive Bel Air 21014

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
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 16, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15, 2006

Item Numbers: 558 thru 573

5/16/06

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



Printed on Recycled Paper



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

Driven to Excel
State Highway
Administration

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

Maryland Department of Transportation

Date: 5.12.06

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

RE: Baltimore County
Item No. 566 JCM

Dear Ms. Matthews:

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

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

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 17, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-566- 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 Diana Itter 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: May 17, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 22, 2006
Item Nos. 558, 560, 561, 562, 563, 564,
565, ~~566~~, 567, 568, 571, 572, 573

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-05172006.doc

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 - 03 **Account Number -** 1700003765

Owner Information

Owner Name: ORMAN K ALAN
 ORMAN ROBERTA C
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 7126 PLEASANT CROSS DR
 BALTIMORE MD 21209-1040
Deed Reference: 1) / 5800/ 966
 2)

Location & Structure Information

Premises Address
 7126 PHEASANT CROSS DR

Legal Description
 PHEASANT CROSS DRIVE
 472 W ROCKLAND HILLS DR
 GREEN GATE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
69	20	890			5	G	15	2	Plat Ref:	38/ 76

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1977	2,438 SF	13,050.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	72,260	104,050		
Improvements:	160,160	330,770		
Total:	232,420	434,820	299,886	367,352
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
H M H CONSTRUCTION COMPANY INC	09/09/1977	\$77,765
Type: IMPROVED ARMS-LENGTH	Deed1: / 5800/ 966	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

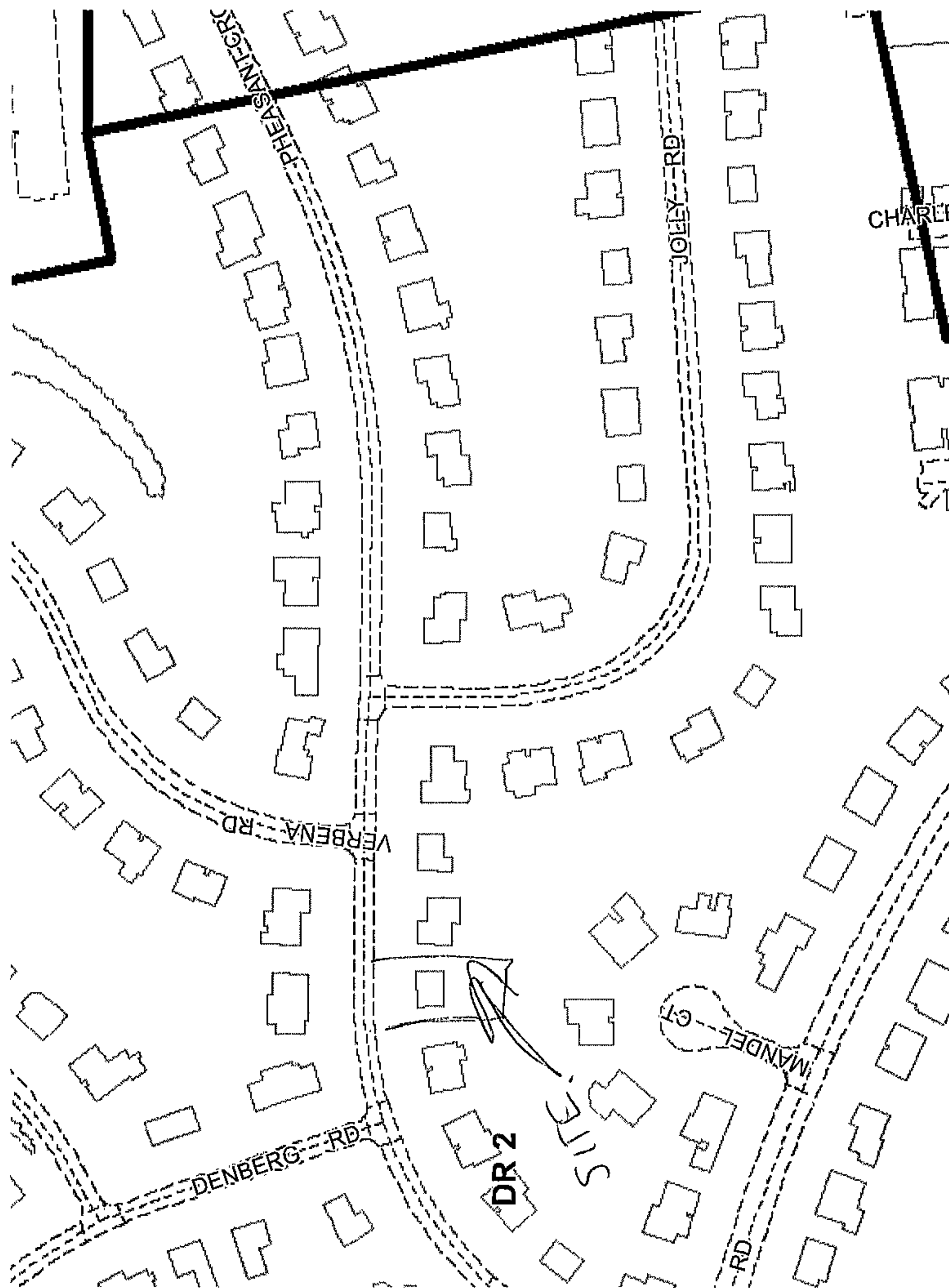
Exemption Information

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 *



069A3

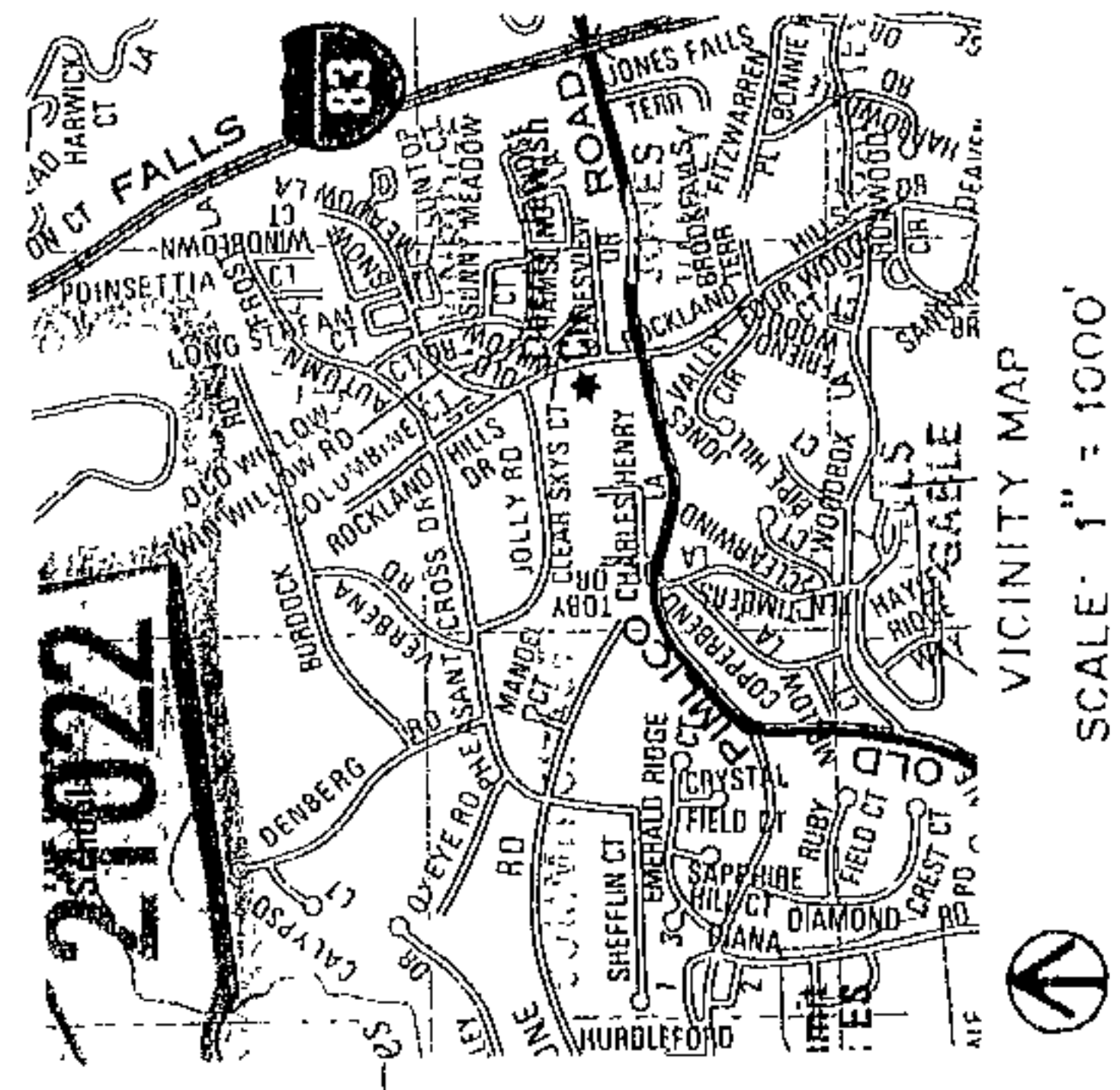
PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 7126 Phasant Cross Dr SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Green Gate

PLAT BOOK # 38 FOLIO # 76 LOT # 15 SECTION # 5

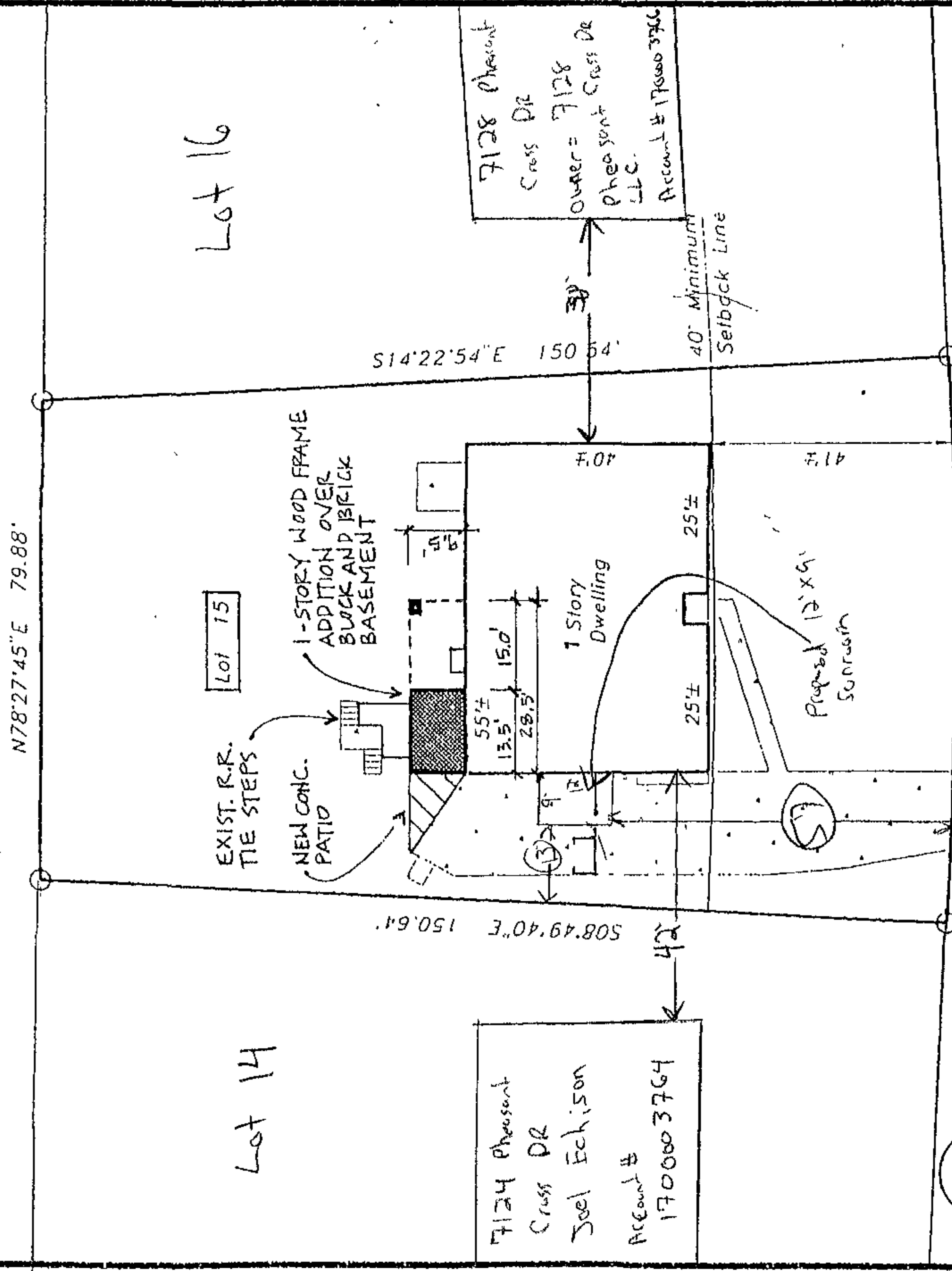
OWNER Alan Orman



LOCATION INFORMATION

ELECTION DISTRICT 3
COUNCILMANIC DISTRICT 2
1" = 200' SCALE MAP # DR2
ZONING DR2
LOT SIZE 13,050 SQUARE FEET
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY / BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING ☐ YES ☒ NO

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #



Lot 14
Lot 16
N78°27'45"E 79.88'
S14°22'54"E 150.54'
S08°49'40"E 150.64'
R=975.00' 94.51'



NORTH

PREPARED BY Jeffrey Holman SCALE OF DRAWING: 1" = 30'



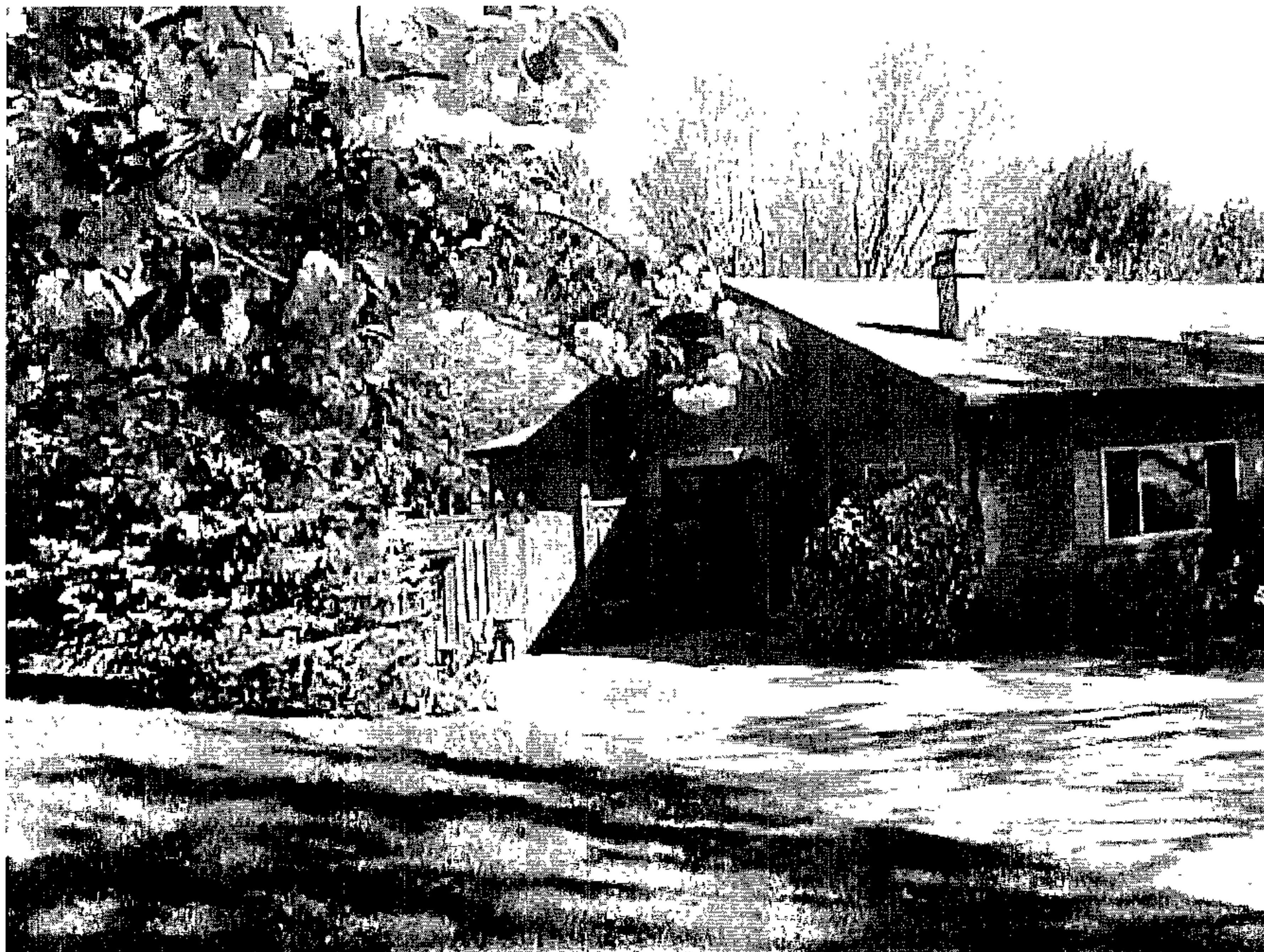
7126 Pheasant Cross Dr.
Baltimore - MD 21209

Front view of the SFD



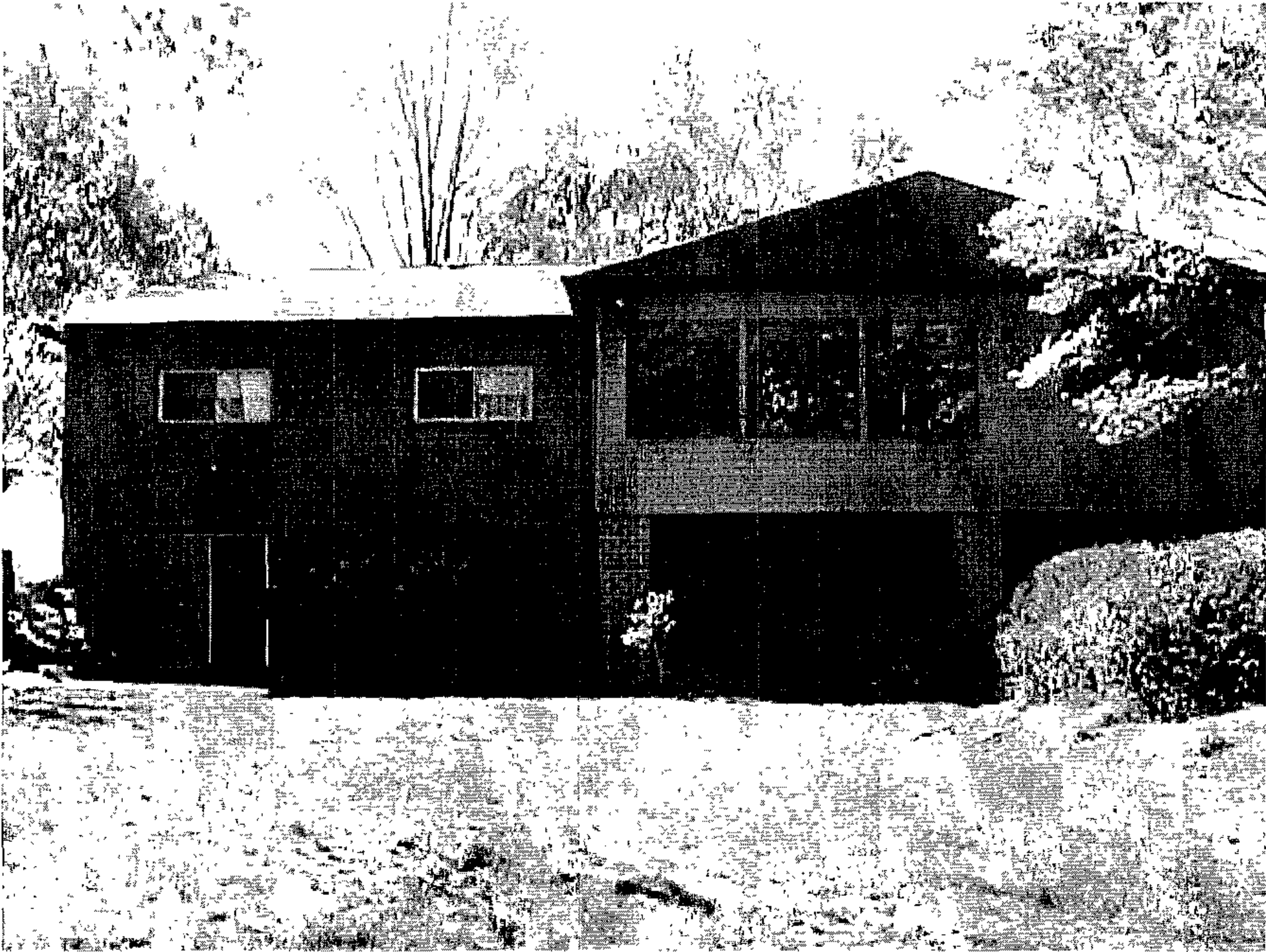
7126 Pheasant Cross Dr,
Baltimore, MD 21209

Right Side view of the SFD



7126 Pleasant Cross Dr,
Baltimore, MD 21209

left side view of the SFD
and proposed side for the new Sunroom.



17126 Pheasant Cross Dr.
Baltimore, MD 21209

Rear view of the SFD