IN RE: PETITION FOR ADMIN. VARIANCE

E/S of West Woodwell Road

S of German Hill Road

12th Election District

7th Councilmanic District

(2500 West Woodwell Road)

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 06-570-A

Phillip E. Roemer and Wendy J. Roemer **

Petitioners**

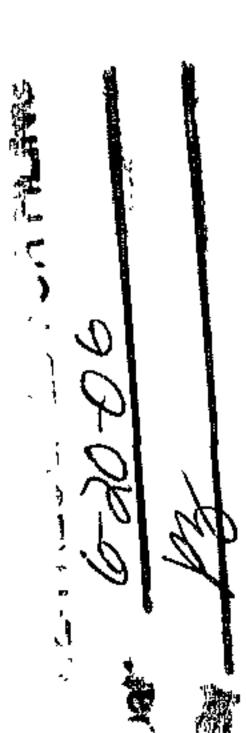
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Phillip E. and Wendy J. Roemer. The variance request is for property located at 2500 West Woodwell Road in the Gray Manor subdivision of Baltimore County. The variance request is from Section 1B02.3A.5 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a front yard setback of 20 feet and a rear yard setback of 27 feet in lieu of the required 25 feet and 30 feet, respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance. The Petitioners state the configuration of the first floor portion of the addition is such that the room adjacent to the living room could be easily converted to a bedroom with existing full bath to accommodate an elderly parent. Due to the absence of on-street parking along West Woodwell Road an additional area to park one vehicle would be needed on the south side of this addition.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 21, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 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 have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 20th day of June, 2006, that a variance from Section 1B02.3A.5 to permit an

addition with a front yard setback of 20 feet and a rear yard setback of 27 feet in lieu of the required 25 feet and 30 feet, be and is hereby GRANTED, subject to the following:

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.

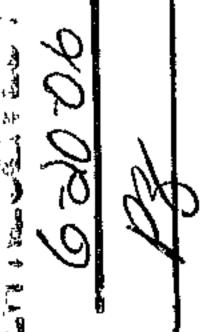
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

OHNV. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

June 20, 2006

PHILLIP E. AND WENDY J. ROEMER 2500 WEST WOODWELL ROAD DUNDALK MD 21222

Re: Petition for Administrative Variance Case No. 06-570-A

Property: 2500 West Woodwell Road

Dear Mr. and Mrs. Roemer:

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,

John V. Murphy

Deputy Zoning Commissioner

Joan U-mufby

for Baltimore County

JVM:dlw Enclosure





to the Zoning Commissioner of 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

for the property located at	25co	W/. W/00	DWELL	Ro.
		tly zoned		

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) (BOD). SA.S. (BODE)

TO PERMIT AN ADDITION WITH A FRONT YARD SETBACK OF 20-FEET AND REAR YARD SETBACK OF 27-FEET IN LIEU OF THE REQUIRED 25-FEET AND 30-FEET, RESPECTIVELY.

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.

			is the subject of this	Petition.	
Contract Purchaser/L	.essee:		Legal Owner(s)	<u>:</u>	
			MR PHIL	LIP E. ROE	MER
Name - Type or Print	, <u></u>		Name - Type or Print	6	
Signature			Signature MRS/ W/12/	UNY J. ROE	MER
Address	,	Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature	X ()	17537
Attorney For Petition	er:		2500 W.W.	DODUIELL RD.	
			Address		Telephone No.
			DUMBALE	MD.	21222 700000
Name - Type or Print			City	State	Zip Code
Signature		 	<u>Representative</u>	to be Contacted	
Company	· <u> </u>	<u> </u>	Name	·	
Address	<u> </u>	Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having bee	n formally deman	ded and/or found to be	required, it is ordered by this petition be set for a pub	the Zoning Commission	er of Baltimore County, s required by the zoning
regulations of Baltimore County	and that the prope	erty be reposted.	and polition so cor for a pass	no mountig, aaroniooa, a	o roquirou by and zonnig
			Zonina Com	missioner of Baltimore C	ounty
				1	
CASE NO	-510-A	Rev	viewed By D.T.	Date <u>5/9/</u>	06
REV 10/25/01 "" '. '. '.	D DIA	v v v v v v Est	imated Posting Date	5/21/06	2

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		. WOODWELL	<u>Ko</u>
•	Address DOMDALK	MD.	21222
	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	ip or practical difficu	ilty):	
THE CONFIGURATION OF TH	HE 1ST FLOCK	2 PORTION OT	THIS DODITION
IS SOCH THAT THE ROOM	·		
EASILY CONVERTED TO A L ACCOMMODATE MY ELDERLY		771 ENISTING FR	26 13A771 To
DOE TO THE ABSENCE OF	PARK ONE V	FARRING ALGOR	ONG W. WOODWELL RE
ON THE SOUTH SIDE OF			· ·- 4
That the Affiant(s) acknowledge(s) that if a feathertising fee and may be required to provide	ormal demand is fi additional information	led, Affiant(s) will be r on.	equired to pay a reposting and
	•	ignature	C>C>-5-5
Signature ROEMIER	<u>s</u>	ignature MENNY Ro	EMBR
Name - Type or Print	N	ame - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTI		スの6 before	me, a Notary Public of the State
of Maryland, in and for the County aforesaid, pe	ersonally appeared		THO, a rectary reaction or the owner
the Affiant(s) herein, personally known or satisf	factorily identified to	me as such Affiant(s).	
AS WITNESS my hand and Notarial Seal		_1	
	no	wheell	
ONNISSION OF THE	Notary P	ublic	//20
	My Comr	nission Expires 0 9/	<u> </u>
REV 10/25/01			
ANTE COMPANY			

Zoning Description for 2500 West Woodwell Road

Beginning at a point on the east side of West Woodwell Road having a 50-foot right-of-way 130-feet south of the centerline of German Hill Road having a 50-foot right-of-way. Being Lot #120 in the subdivision known as "Amended Plat of Gray Manor" as recorded in Baltimore County Plat Book #12, Folio #112, containing 1.01 acres. Also known as 2500 West Woodwell Road and located in the 12th Election District, 7th Councilmanic District.

The state of the s			CASHIER'S VALIDATION
			CUSTOMER
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE	MISCELLANEOUS RECEIPT DATE DATE ACCOUNT	RECEIVED	DISTRIBUTION WHITE CASHIER PINK - AGENCY YELLOW





CERTIFICATE OF POSTING

RE: Case No.: <u>O6-570-A</u>

Petitioner/Developer: <u>ROEMER</u>

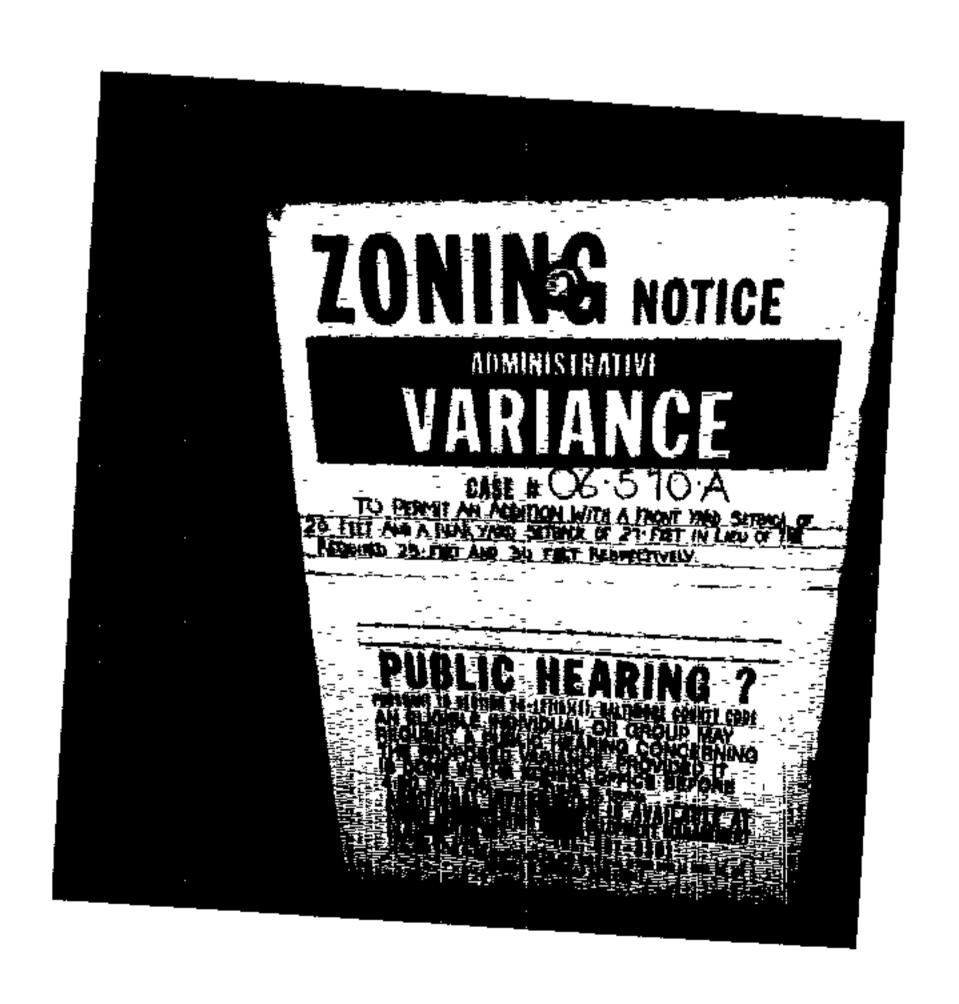
Date of Hearing/Closing: 6-5-06

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

Sincerely,



Robert Clark	5-22
(Signature of Sign Poster)	(Date)
SSG Robert Black	
(Print Name)	4
1508 Leslie Road	1
(Address)	*
Dundalk, Maryland 21222	
(City, State, Zip Code)	
(410) 282-7940	•
(Telephone Number)	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number	06- 570	-A	Address 3500 (1)	WOODWELL RD.	
Contact Persor	1: DONNA TE	OMPSON Please Print Your N	lame	Phone Number: 41	0-887-3391
Filing Date:			ng Date: 5/21/06	Closing Date:	6/5/06
Any contact m through the cor	ade with this of stact person (plan	ice regarding ner) using the	the status of the acceptance case number.	dministrative variance	should be
reverse reposting is again	side of this form) g must be done of responsible for a	and the petit nly by one of ill associated	tioner is responsible for the sign posters on the costs. The zoning n	osters on the approved or all printing/posting ne approved list and the otice sign must be visit remain there through	costs. Any e petitioner sible on the
a formal	request for a p	ublic hearing		t or owner within 1,000 I that even if there is ne closing date.	
commiss order tha (typically	ioner. He may: at the matter be within 7 to 10 da	a) grant the set in for a sys of the clos	requested relief; (b) public hearing. You sing date) as to wheth	by the zoning or depoted a deny the requested a will receive written er the petition has be so you by First Class many control or th	relief; or (c) notification en granted,
(whether commiss changed	due to a neight ioner), notification giving notice of the certification of this	bor's formal n will be for he hearing da	request or by order warded to you. The ate, time and location	of the zoning or deposit of the zoning or deposit on the proper As when the sign was altered sign must be for	outy zoning ty must be as originally
		(Detacl	h Along Dotted Line)		
Petitioner: Thi	s Part of the Fo	m is for the	Sign Poster Only		
	USE THE /	ADMINISTRA	TIVE VARIANCE SIG	N FORMAT	
Case Number (06-570 -4	Addre	ess 2500 W. Woor	WELL RD.	······································
Petitioner's Nan	ne <u>Roemer</u>	l		Telephone 410-283	1-5684
Posting Date:	5/21/06		_ Closing Date	: 6/5/06	
Wording for Sig	n: <u>To Permit</u> £	N ADDITIO	N WITH A FRONT Y	ARD SETBACK OF	· · · · · · · · · · · · · · · · · · ·
			OF 27-FEET IN		
			RESPECTIVELY		
•					
				WCR - R4	evised 6/25/04



ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

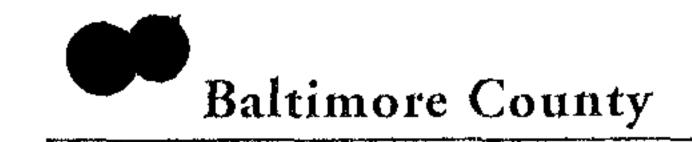
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Item Numbe	r or Case Number:	06-570-A	
Petitioner: _		ROEMER	· · · · · · · · · · · · · · · · · · ·
Address or L	ocation: <u>3500 1</u>	W. WOODWELL RD.	
PLEASE FO	RWARD ADVERTIS	SING BILL TO:	
Name:	MR+MRS.	PHILLIP E. ROEMER	······································
			
Address:	2500 W. 1	WOODWELL RO	

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





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

June 5, 2006

Phillip E. Roemer Wendy J. Roemer 2500 W. Woodwell Rd. Dundalk, MD, 21222

Dear: Mr. Roemer and Mrs. Roemer

RE: Case Number: 06-570-A 2500 W. Woodwell Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 9, 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

u. Callibal)

WCR:amf

Enclosures

c: People's Counsel



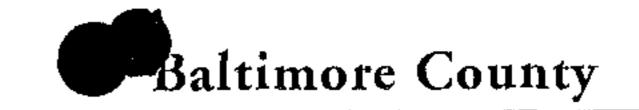
Visit the County's Website at www.baltimorecountyonline.info

Fire Department



700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500





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

470

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.

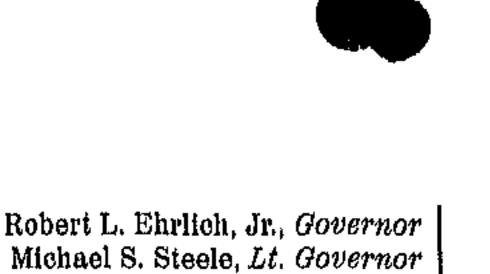
1. The Fire Marshal's Office has no comments at this time.

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

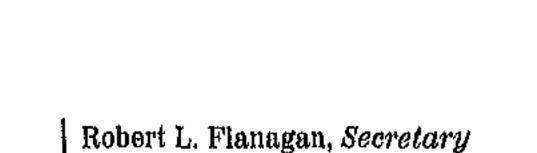
cc: File



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







Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 5.19.04

Item No.

Baltimore County

RE:

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

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. f. Greeth

Engineering Access Permits Division,

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) 6-570- 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 Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

DATE: June 16, 2006

JUN 1 9 2006

AV 6/5

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



JUN 0 8 2006
ZMMG CAMPAGATA

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JVV

DATE:

June 8, 2006

SUBJECT:

Zoning Item

06-570-SPHA PA

Address

4231 Overton Avenue (Candow Property)

Zoning Advisory Committee Meeting of May 22, 2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer:

Kevin Brittingham

Date: June 1, 2006

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination TWL

DATE:

May 31, 2006

SUBJECT:

Zoning Item # See List Below

Zoning Advisory Committee Meeting of May 22, 2006

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

06-569-A

Q6-570-A>

06-574-SPH

06-575-A

06-576-A

06-577-A

06-580-SPH

06-583-SPH

06-584-SPHA

06-586-A



INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

DATE: May 25, 2006 Department of Permits & Development

Management

Dennis A. Kennedy, Supervisor FROM:

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For May 30, 2006

Item No. 569, 570, 574, 575, 576, 577, 578, 579, 583, 584, 586, and 588

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

DAK:CEN:clw

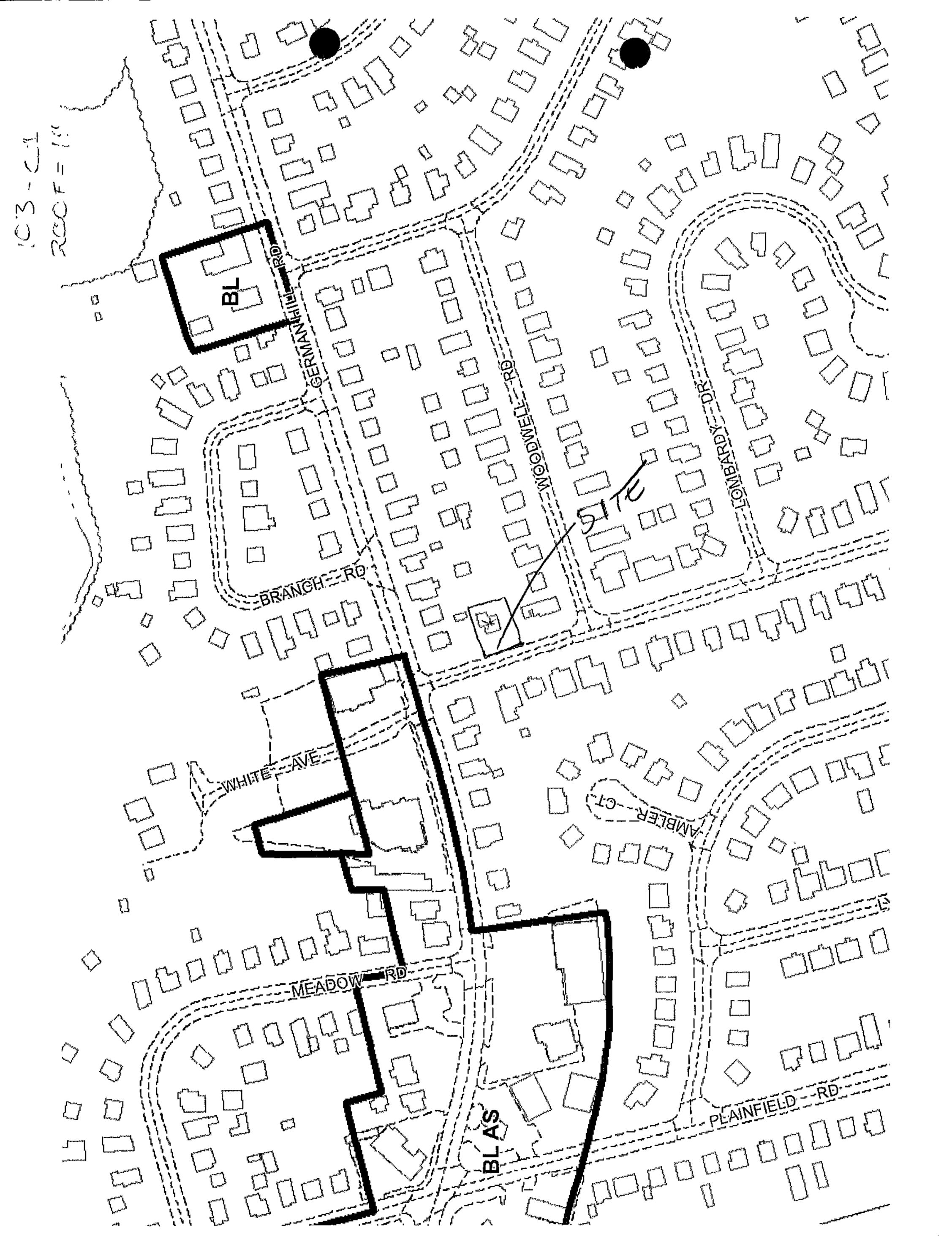
cc: File

ZAC-NO COMMENTS-05252006.doc

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 06.570 A

Date Completed/Initials	
5/12/06	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)
<u> </u>	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)
5/21/0ce.	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
6/5/06	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)



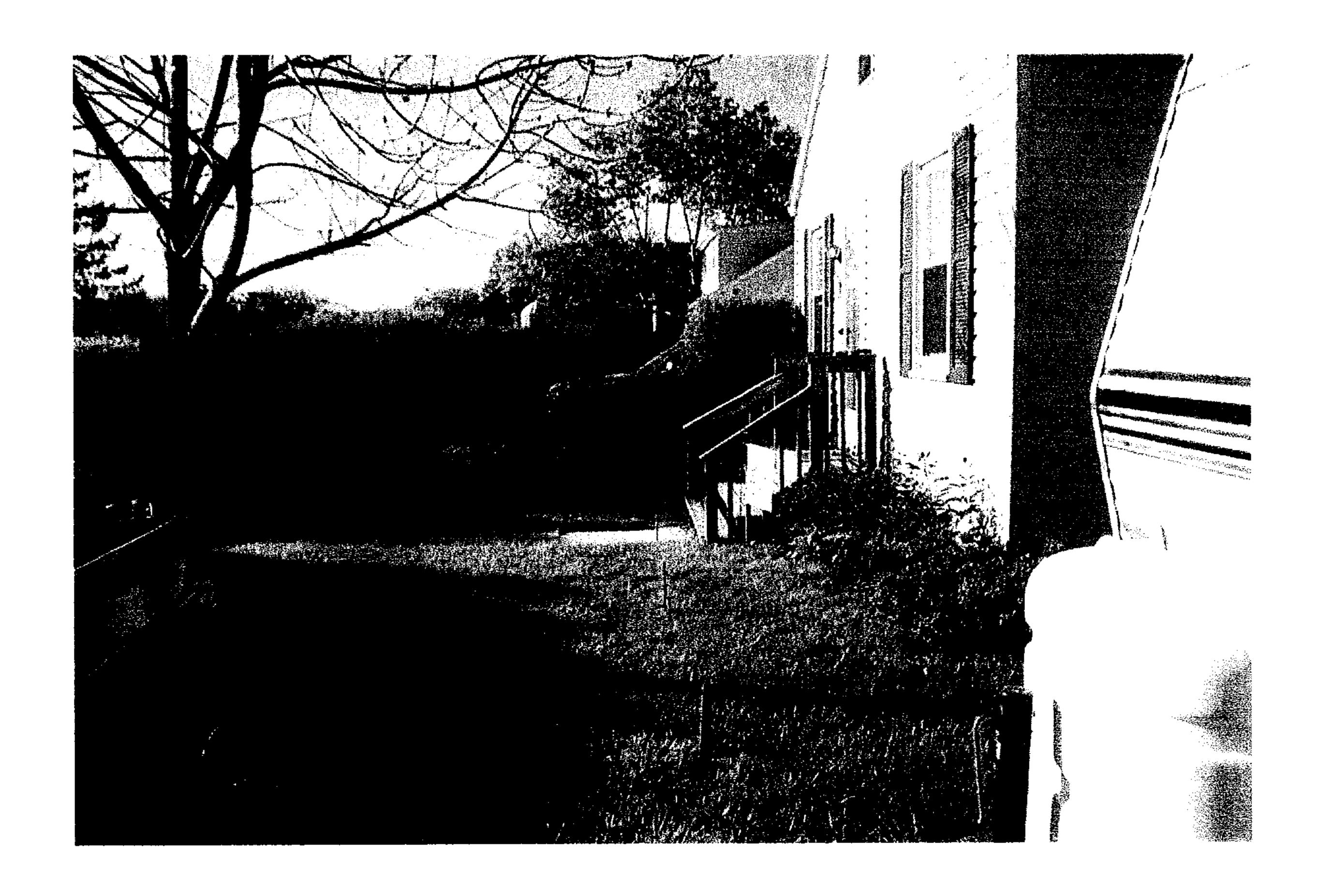
PLAT TO ACCOMPANY PETITION FOR ZONING VANHANCE PROPERTY ADDRESS 2500 W WOODWELL RO. SEE PAGES 5 & 6 OF THE CHECKLIST FOR A	RADDITIONAL REQUIRED INFORMATION
BOOK # 12 FOLIO # (12 LOT # /20 SECTION #	Plaint
STELLA COCCIOLI OLE WAS AND STELLA COCCIONI OLE WAS AND ST	Sc
2 150 150 150 150 150 150 150 150 150 150	ELECTION DISTRICT #2.
SILLA	1"=200' SCALE MAP # 103 /6/435 ZONING DR-5.5 LOT SIZE 1/3 5856.00 LOT SIZE 7/3 ACREAGE SQUARE FEET SEWER [12] SEWER [12]
DOWALD KENT LOT 120 TO	CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN
Proposed Proposed Proposed Proposed 1st Fire.	FORIC PROPERTY/ JILDING DR ZONING HEARING NONE
NORTH NORTH PREPARED BY PHILLIF ROFMER SCALE OF DRAWING: "= 30'	REVIEWED BY THEN # CASE # TO T. THEN # OF THE ONLY TO THE USE ONLY THEN # OF THE ONLY THEN # OF THEN THEN THEN THEN THEN THEN THEN THEN

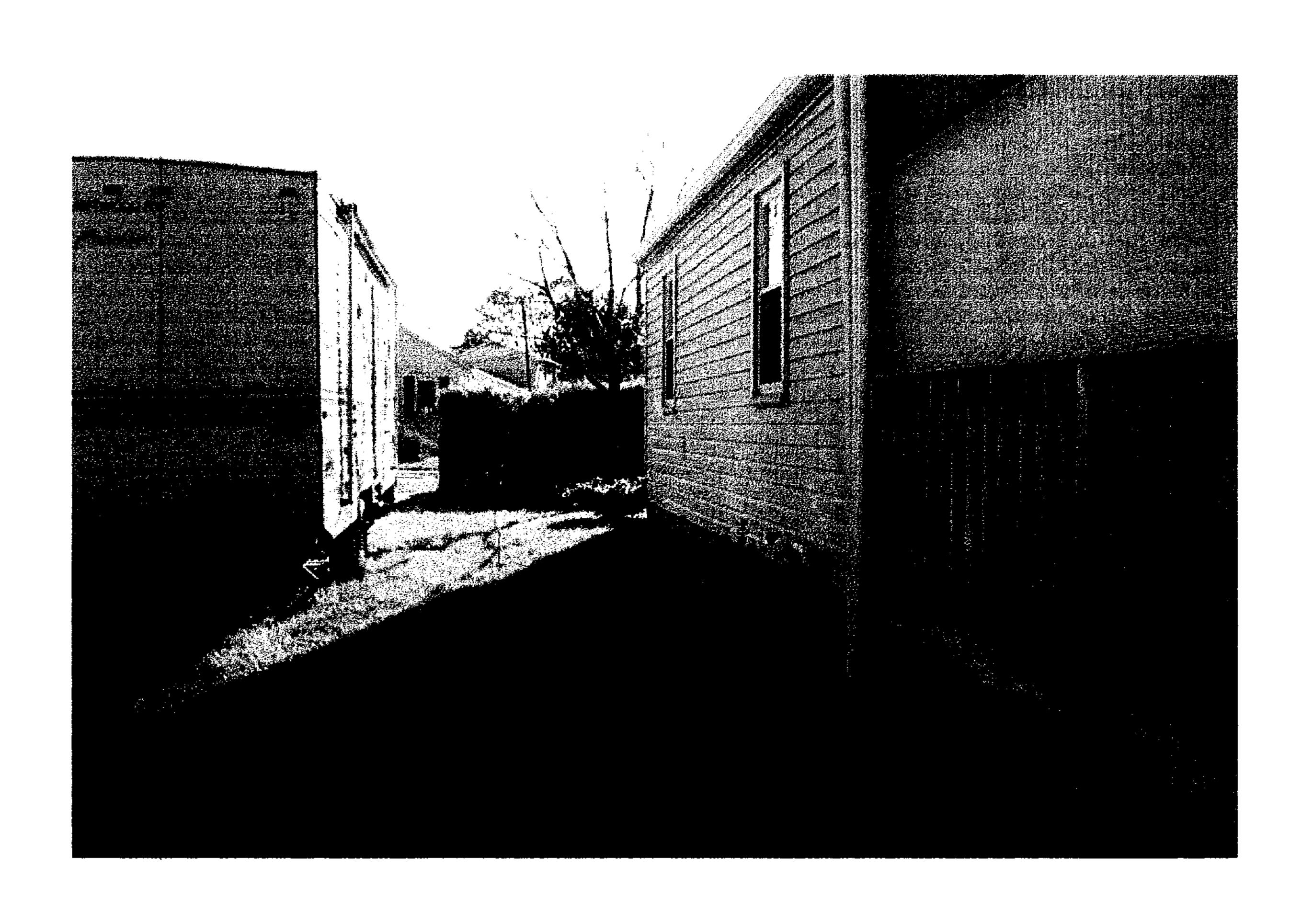


AREA MARKED MARKED SPENTION ADDITION







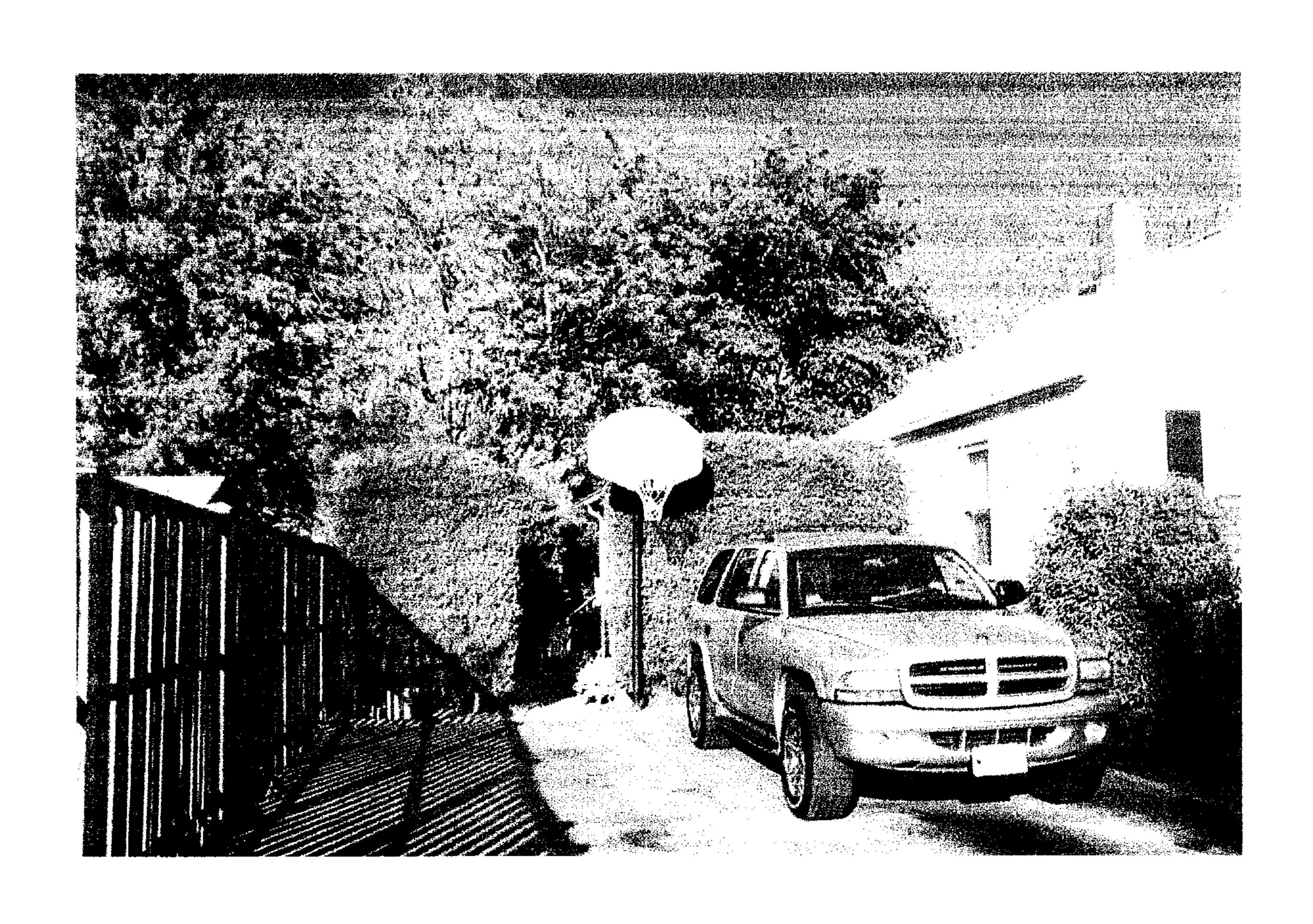


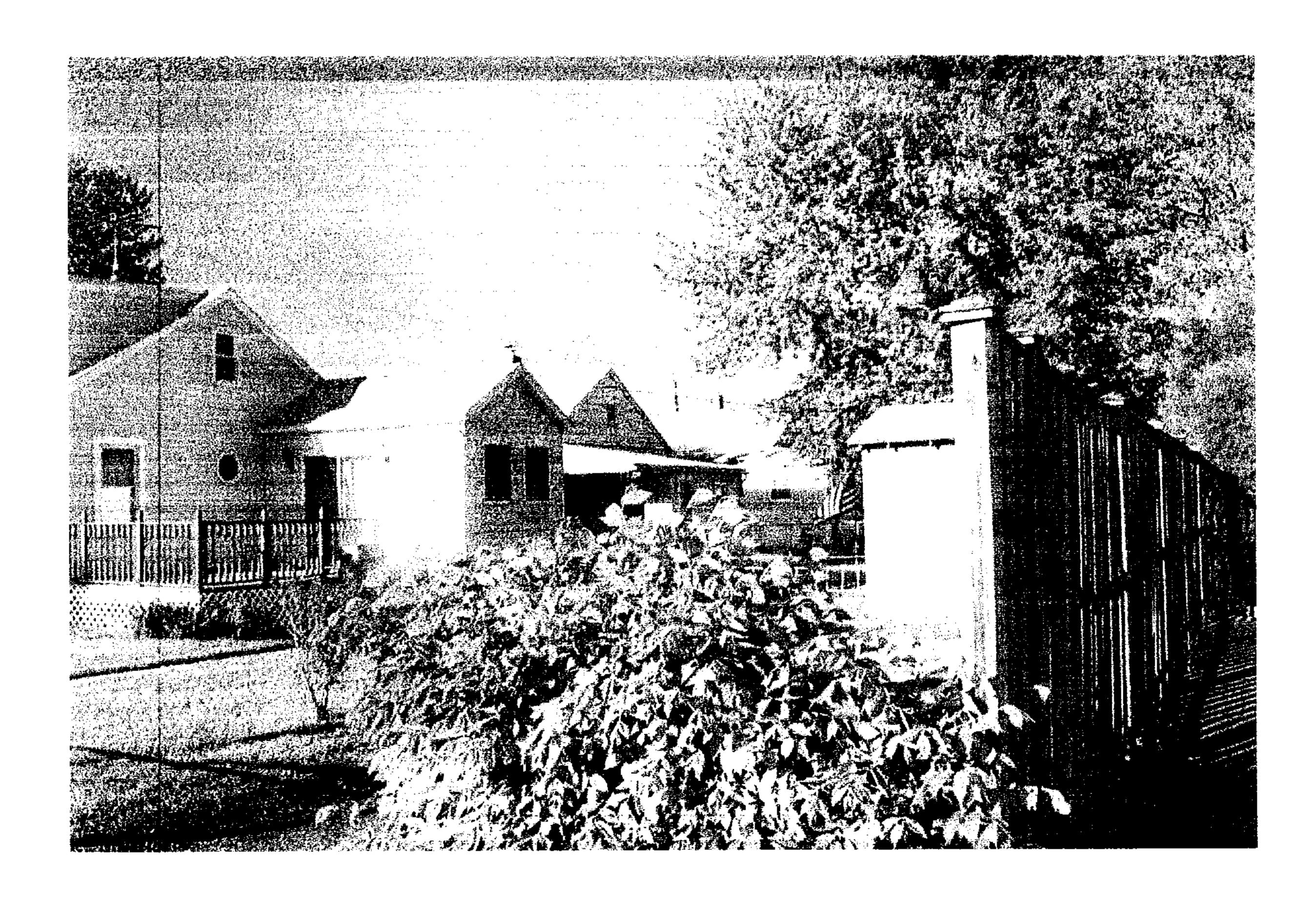


06-570-A

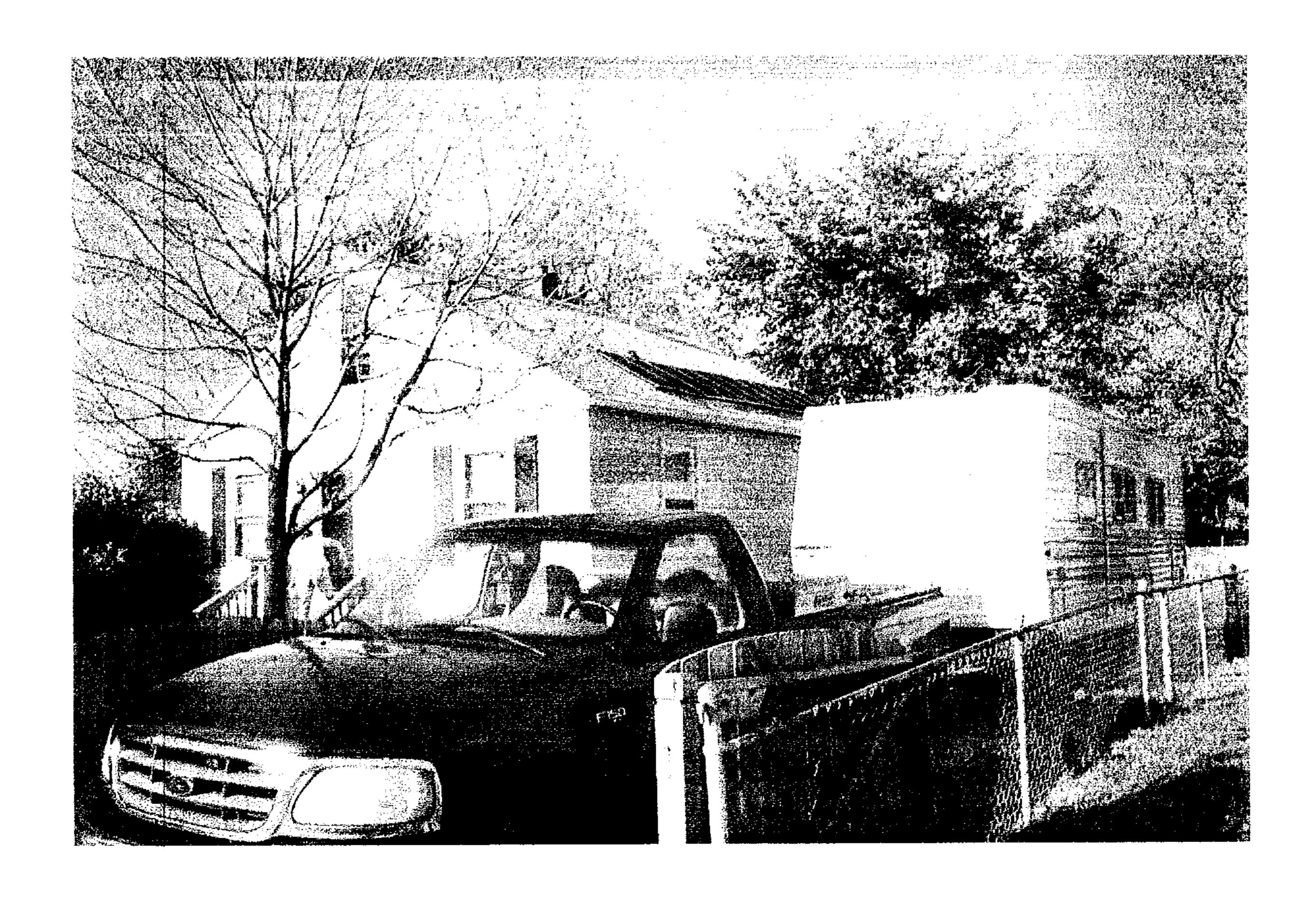


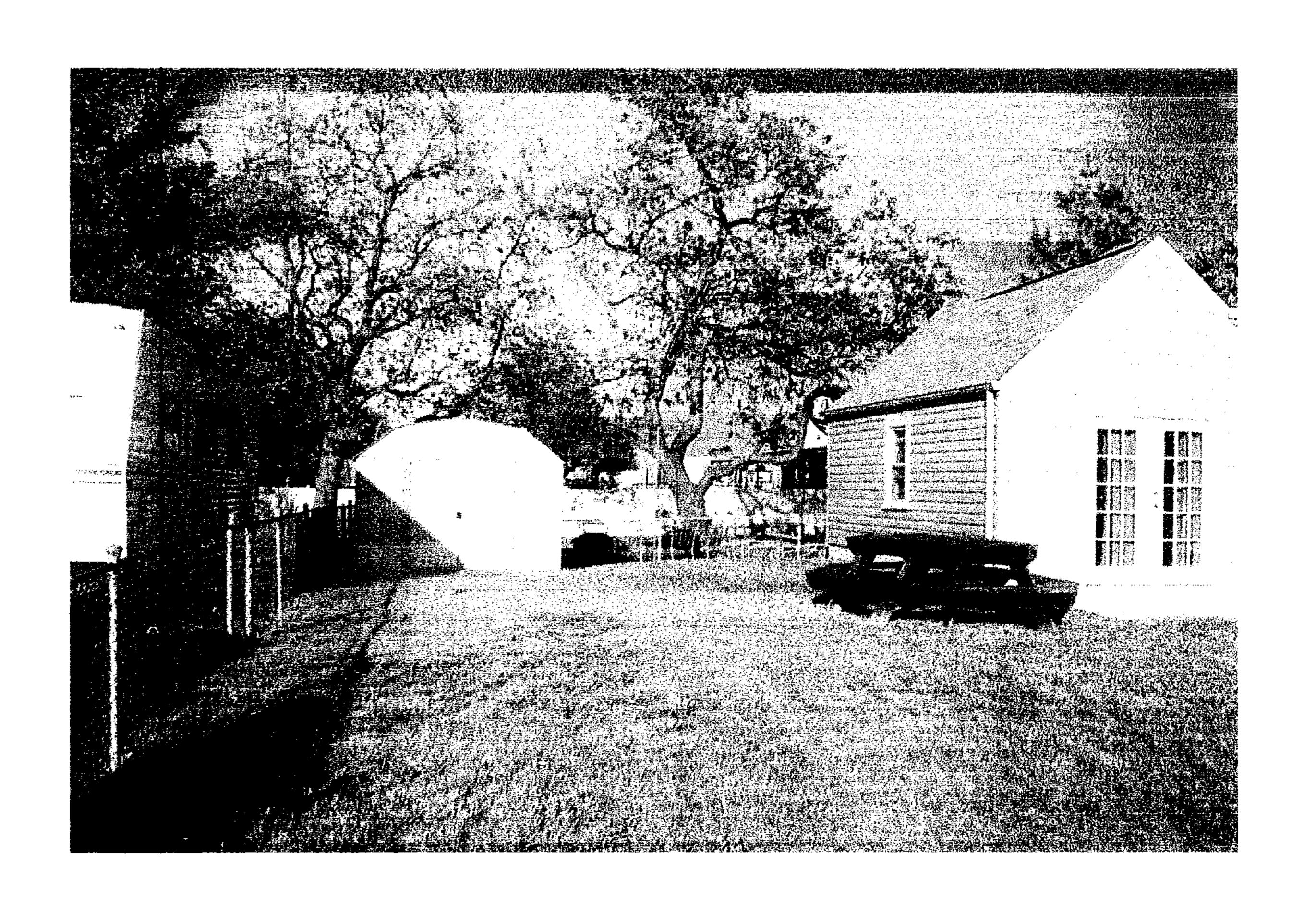


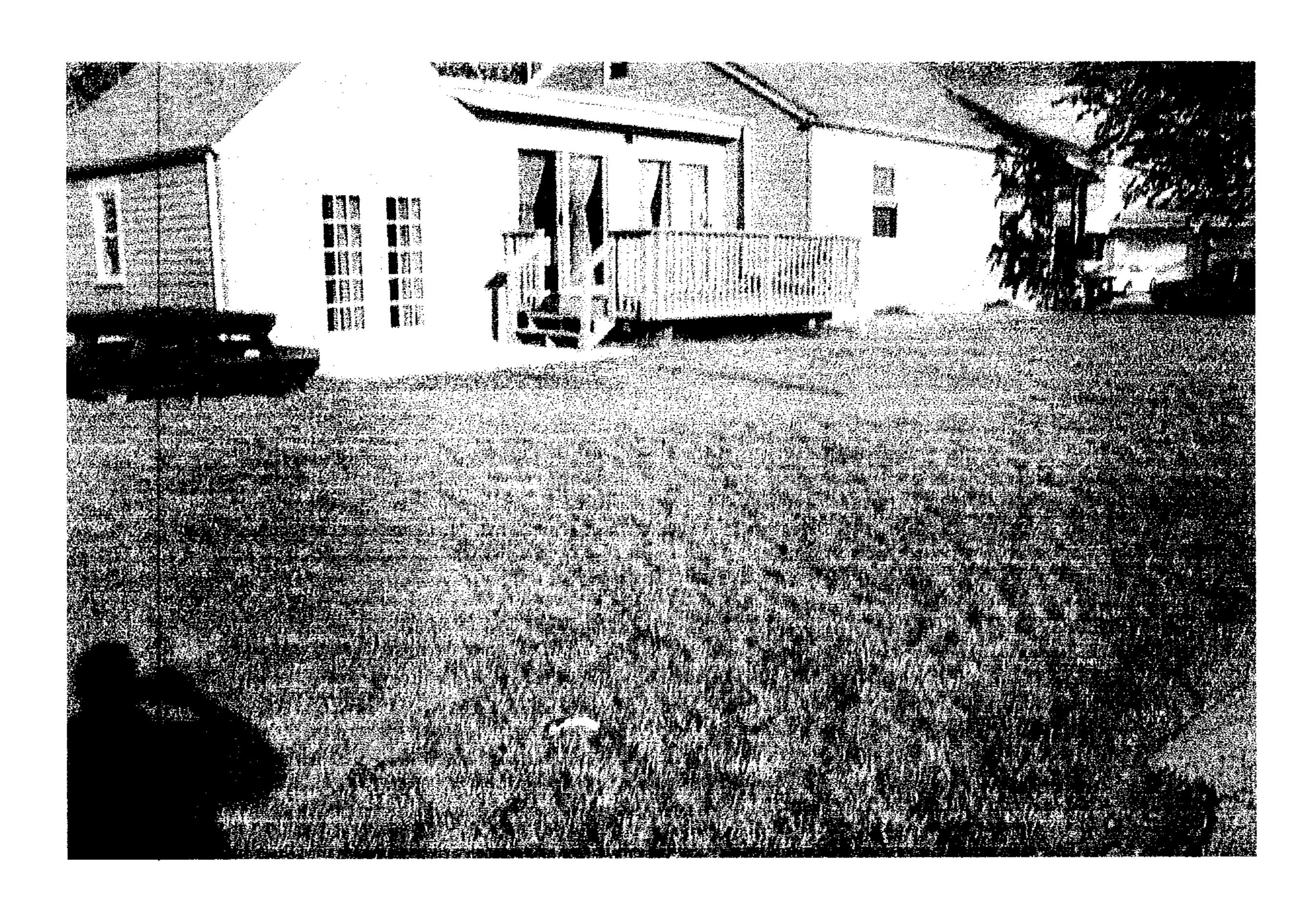


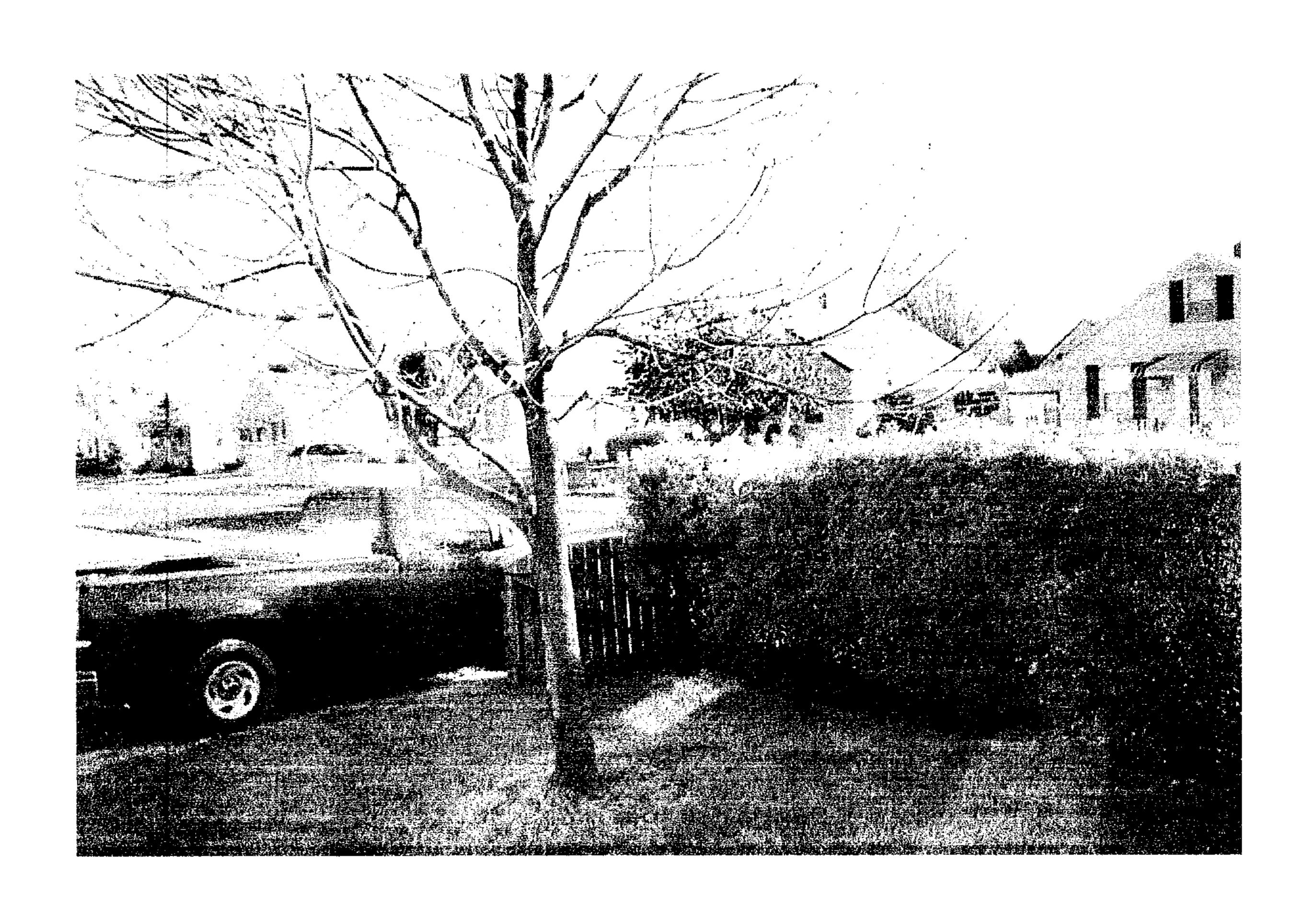


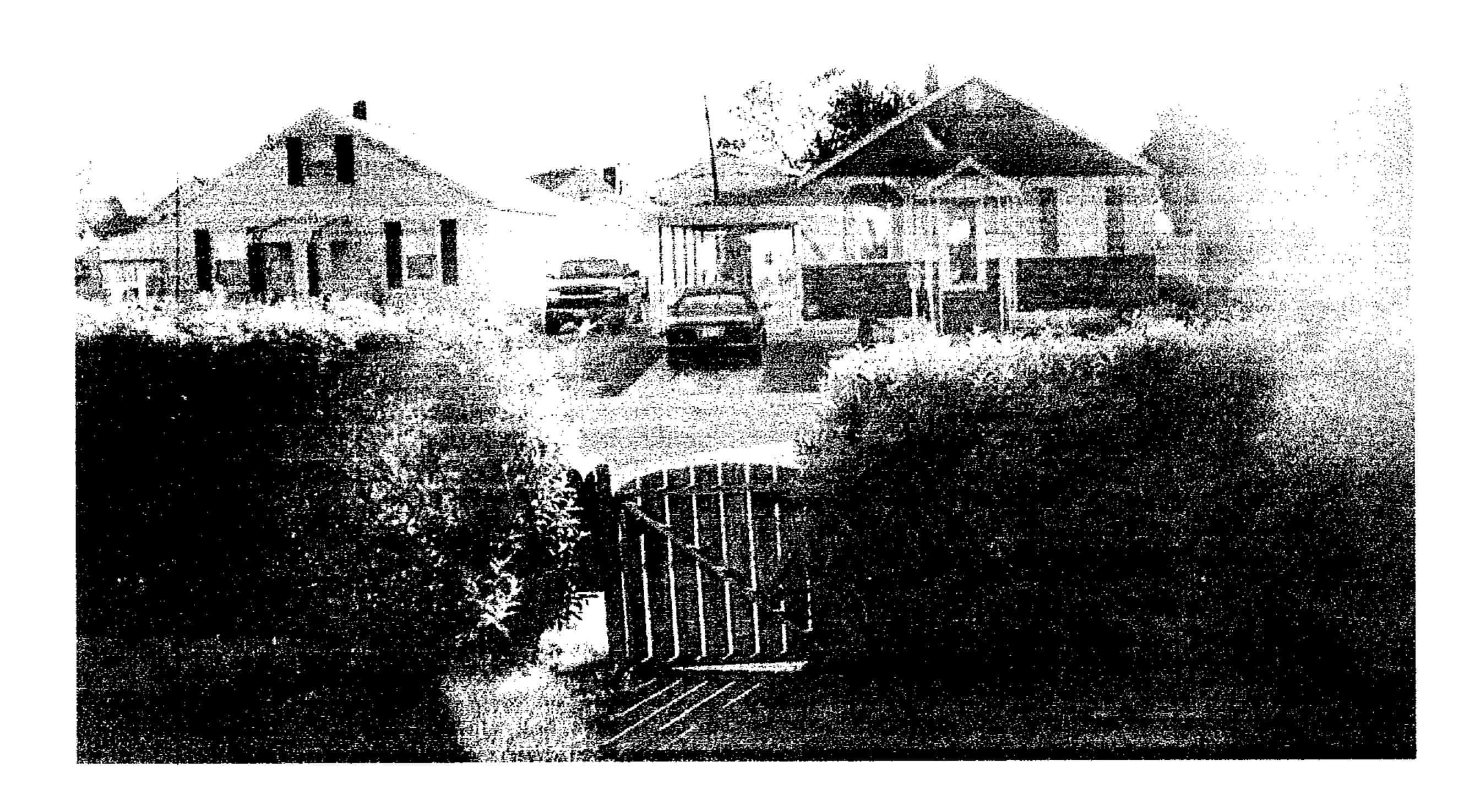














Q-570-A