IN RE: PETITION FOR ADMIN. VARIANCE E/S of Jerusalem Mill Court, South

of centerline of Glenbauer Road

11th Election District

3rd Councilmanic District

(7 Jerusalem Mill Court)

John N. and Susan M. Thrappas Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-647-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, John N. and Susan M. Thrappas. The variance request is for property located at 7 Jerusalem Mill Court. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an accessory structure (pavilion) to be located in the front yard in lieu of the required rear. The subject property and requested relief are more particularly described on Petitioners' Exhibit No.

1. The Petitioners state that they want to construct a 15 feet x 15 feet x 15 feet pavilion of wood, stone and masonry as a landscape feature in the front yard. They believe that this location for the pavilion best compliments the overall design presentation.

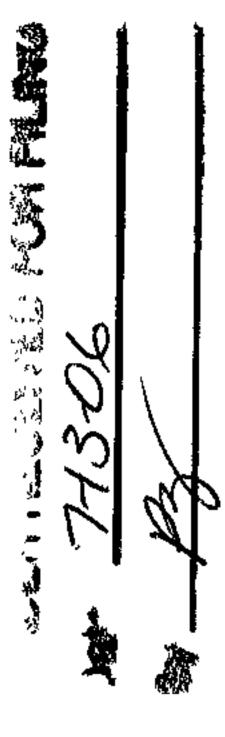
Zoning Advisory Committee Comments

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 23, 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 13th of July, 2006, that a variance from Section 400.1 of the Baltimore County

Zoning Regulations (B.C.Z.R), to permit an accessory structure (pavilion) to be located in the front yard in lieu of the required rear 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.

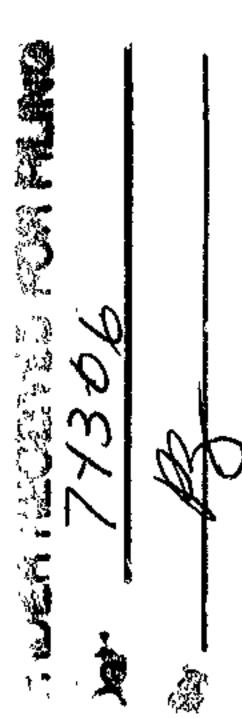
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





CASE NO. 06-647-A

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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

for the property located at 7 January Mill Cf which is presently zoned RC5

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)

structure (pavilion) to be located in the front yard in lieu of the required rear

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser/Lessee: Type of Print Name - Type or Print Nante. Signature Signature Name - Type of Print Telephone No. Address Zip Code City State Attorney For Petitioner: Name - Type or Print Zip Code State Representative to be Contacted: Signature Company Telephone No. Address Zip Code City State State A Public 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 day of regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County

Reviewed By ___

Estimated Posting Date ___

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.

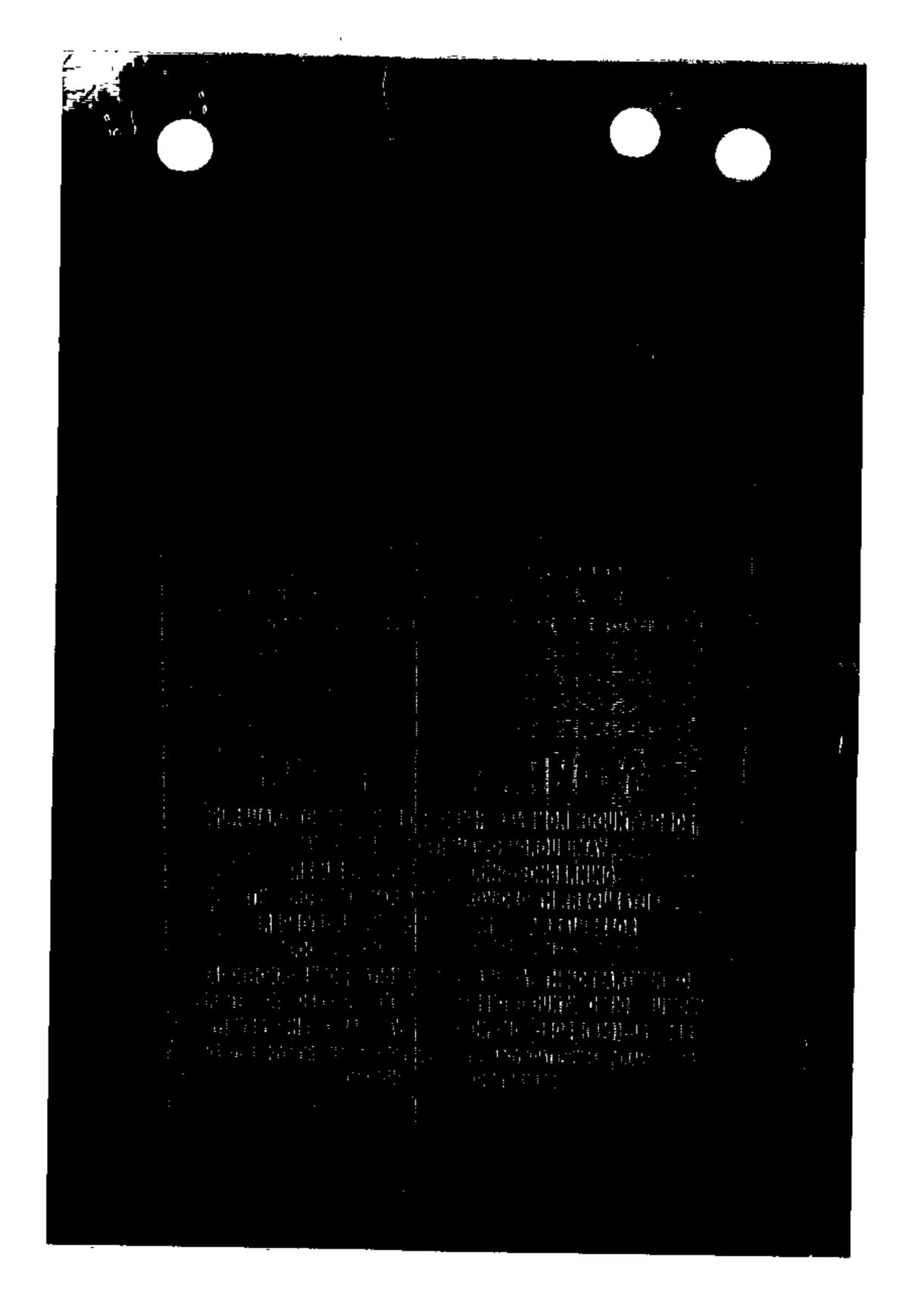
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	KINGSVILLE	M	21087-2327
	City	State	Zip Code
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STATE OF MARYLAND, COUNTY OF BALTI		1 - /	
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of Maryland, in and for the County aforesaid, pe	ersomally appeared		
the Affiant(s) herein, personally known or satisf	actorily identified to me as	such Affiant(s)	<u> </u>
the Amant(s) nerent, personally known or spitis	dolowy identified to file do	odon / mando/.	
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ZONING DESCRIPTION

Zoning Description For 7 Jerusalem Mill Court

Beginning at a point on the East side of Jerusalem Mill Court, which is 50 feet wide at the distance of 563 ft. south the centerline of the nearest improved intersecting street Glenbauer Road, which is 50 ft. wide. Being Lot # 42 in the subdivision of Jerusalem Mills as recorded in Baltimore County Plat Book #61, Folio# 135, containing 3.50 acres. Also known as 7 Jerusalem Mill Court and located in the 11th Election District, 3rd Councilmanic District.

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CERTIFICATE OF POSTING

	RE: Case No.: 06-647-A
	Petitioner/Developer:
	Date of Hearing/Closing: 7-10-06
Baltimore County Department of Permits and Development Manageme County Office Building, Room 111 11 West Chesapeake Avenue Fowson, MD 21204	ent
Attention: Christen Matthews	
Ladies and Gentlemen: This letter is	to certify under the penalties of perjury that the necessary sign(s)
	uously on the propery located at
<u> </u>	JERUSALEM Mul CT.
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The sign(s) were posted on	1UG 23, 7006 (Month, Day, Year)
	Sincerely,
	Barland Date) (Signature of Sign Poster and Date)
	CARLAGEDE, MOORE (Printed Name)
	3225 RYELSON CIRCLE (Address)
	BAUTIMORE, MD, 21227 (City, State, Zip Code)
	(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT 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 Number or Case Number: 06-647-A	
Petitioner: John and Susan THEAFFAS	_
Petitioner: <u>foun and Susan Theappas</u> Address or Location: <u>7 Jenus ALEM MILL Ct. Kingsville Mil</u>	2 2/4
PLEASE FORWARD ADVERTISING BILL TO: Name: <u>Janders Designs</u> Tim Sanders	
Address: 9727 GREEN SIDE TORIVE, SUITE 202	
Cockeysvice MD 21030	!

ZONING COMMISSIONER'S ADMIN HEARING SCHEDULE Updated and Distributed July 10, 2006

CASE NUMBER: 6477 Jerusalem Mill Court

Location: E/side Jerusalem Mill Court, 563 feet south of centerline Glenbauer Road

11th Election District, 3rd Councilmanic District

Legal Owner: John and Susan Thrappas

Contract Purchaser: Closing Date 7/10/2006

ADMINISTRATIVE VARIANCE to permit an accessory structure, pavilion, to be located in the front yard in lieu of the required rear yard.

Hearing: , at,

CASE NUMBER:

Location:

Election District, Councilmanic District

Legal Owner:

Contract Purchaser:

Hearing:, at,

CASE NUMBER:

Location:

Election District, Councilmanic District

Legal Owner:

Contract Purchaser:

Hearing: , at ,



CASE NO. 36-647-14

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	Flee	BALEM	MILL	H
whic	n is presentl	ly zoned	RC5	

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)

structure (pavilion) to be located in the front yard in lieu of the required rear

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. Legal Owner(s): Contract Purchaser/Lessee: Name - Type or Print Signature Signature Telephone No. Address Name Zip Code City State Attorney For Petitioner: State Name - Type or Print Representative to be Contacted: Signature Company Telephone No. Address Zip Cade State City State A Public 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 day of regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County

Reviewed By

Estimated Posting Date __

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	7 JERUSAL	Em Mu Ct	
	City City	//1Z> State	21087-2327 Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts upo p or practical difficulty)	n which I/we base the	
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advertising fee and may be required to provide a		Amani(s) wiii be requ	med to pay a reposting and
Signature	Signat	ture	
Name - Type or Print	Name	- Type or Print	
STATE OF MARYLAND, COUNTY OF BALTING HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per		2006, before me	, a Notary Public of the State
of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known of satisfa	rsonally appeared		
AS WILLIAMS hand and Notarial Seal	//	/) /) /	
NOTARY 60 PUBLIC 6	Notary Public	April B.	WERS
PONE COUNTS	My Commiss	ion Expires	12001

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

July 10, 2006

John N.Thrappas Susan M. Thrappas 7 Jerusalem Mill Court Cockeysville, MD 21030

Dear Mr. and Mrs. Thrappas:

RE: Case Number: 06-647-A, 7 Jerusalem Mill Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 15, 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,

u. Callibal) W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

People's Counsel C:

Tim Sanders Sanders Designs 9727 Greenside Drive Cockeysville 21030



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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

July 21, 2006

SUBJECT:

Zoning Item # ZAC 06-647-A

ZAC 00-04/-A

Address

7 Jerusalem Mill Court (Thrappas Property)

Zoning Advisory Committee Meeting of June 26, 2006.

<u>X</u> The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The proposed pavilion is located in the Septic Reserve Area (SRA). The structure must be relocated to be 20 feet from the SRA.

Date: July 11, 2006

Reviewer: S. Farinetti

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

Zoning Advisory Petition(s): Case(s) 6-647- Administrative Variance **SUBJECT:**

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 Bill Hughey in the Office of Planning at 410-887-3480.

Division Chief:

RECEIVED

DATE: June 30, 2006

ZONING COMMISSIONER

CM/LL



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 June 29,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 26, 2006

647

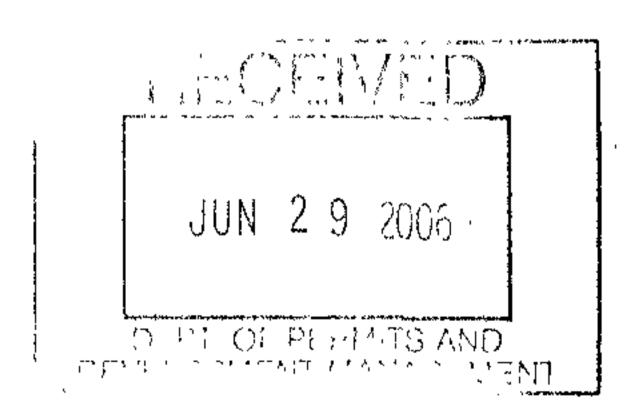
Item Number(s): 644 through 656

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 28, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 3, 2006

Item Nos. 642, 648, 649, 650, 651, 652,

653, 654, 655, and 656

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-06282006.doc



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

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

Maryland Department of Transportation

Date: 6.27.06

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

RE:

Baltimore County

Item No. 647

BPR

Dear. Ms. Matthews:

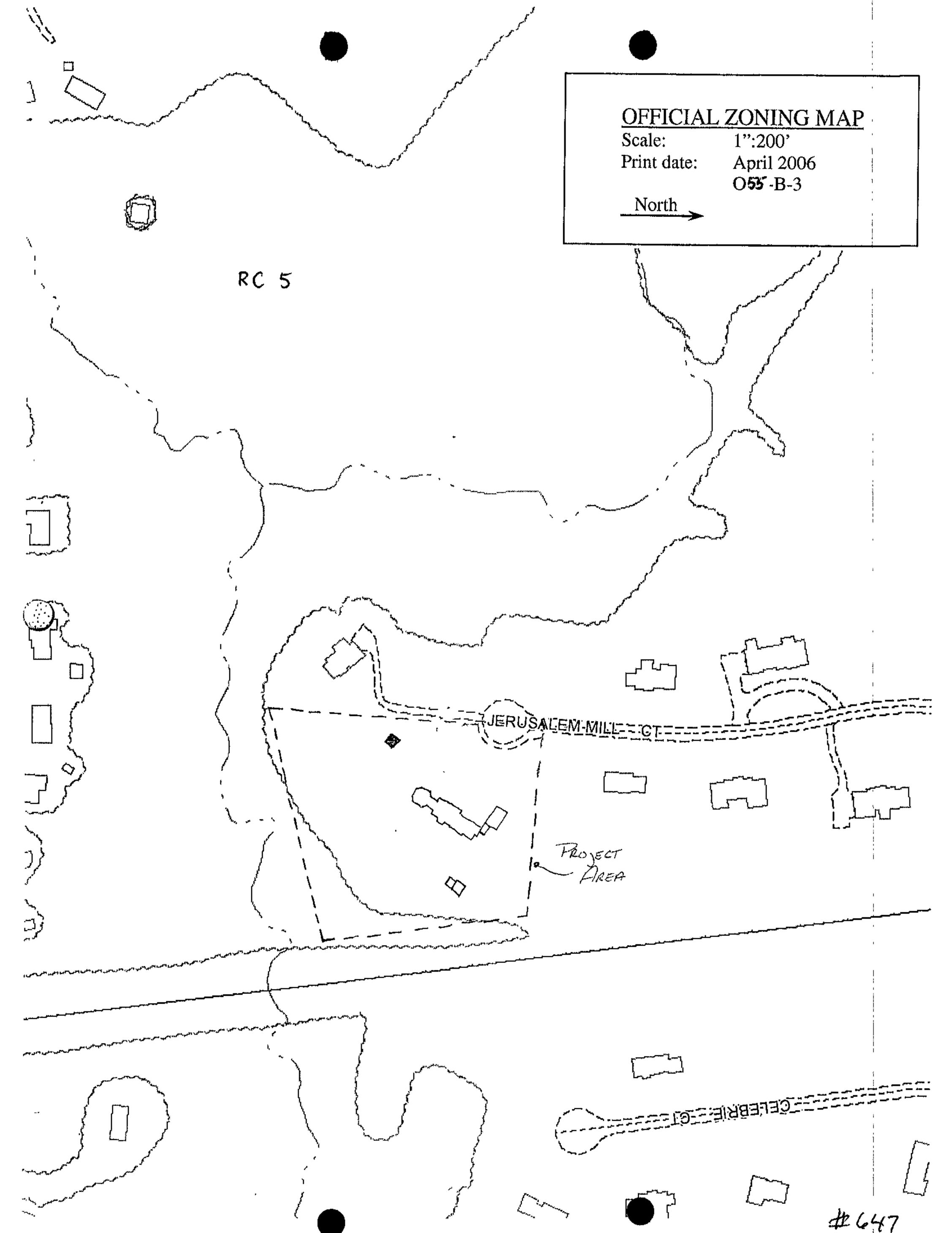
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

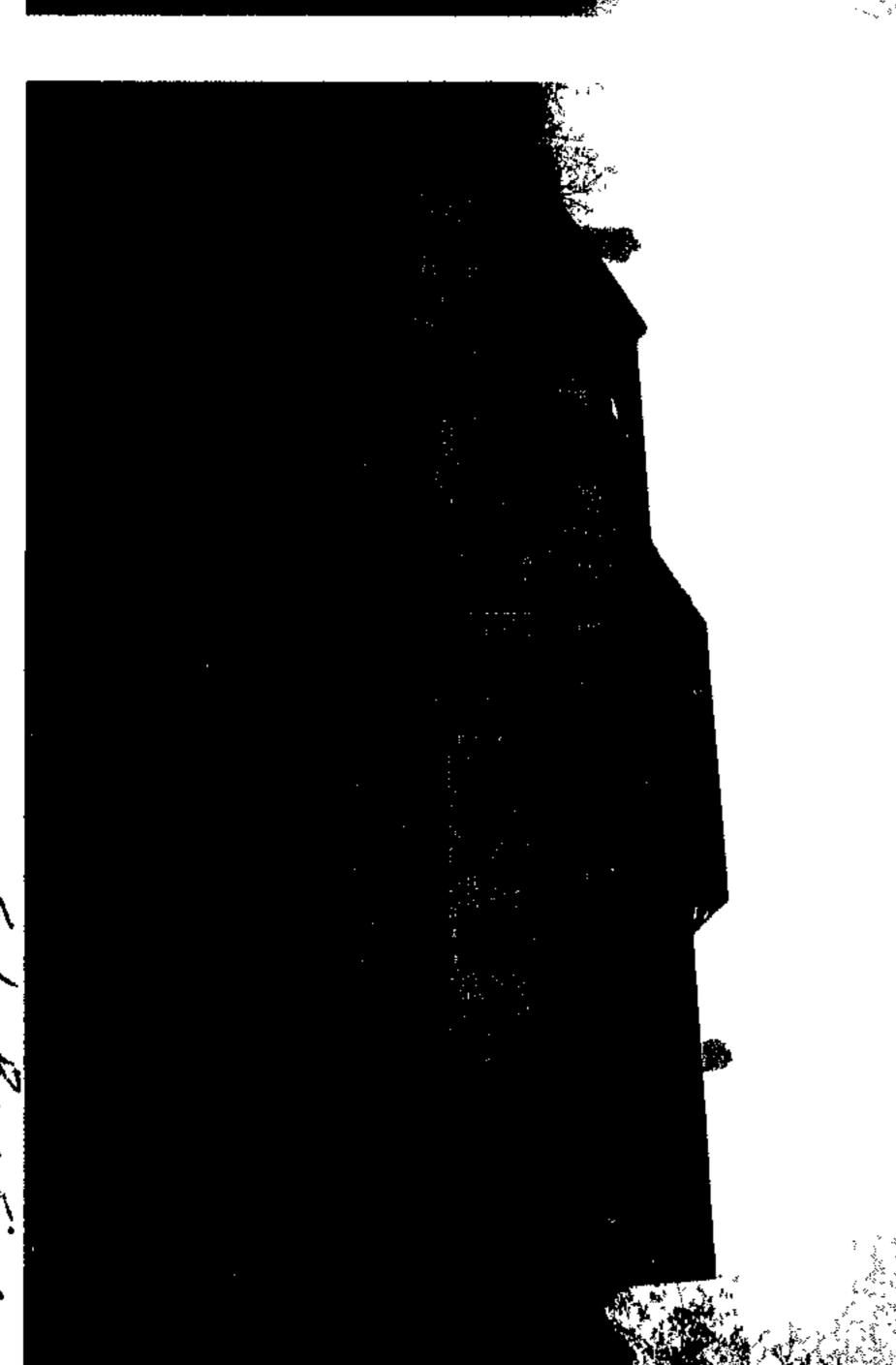
Engineering Access Permits Division



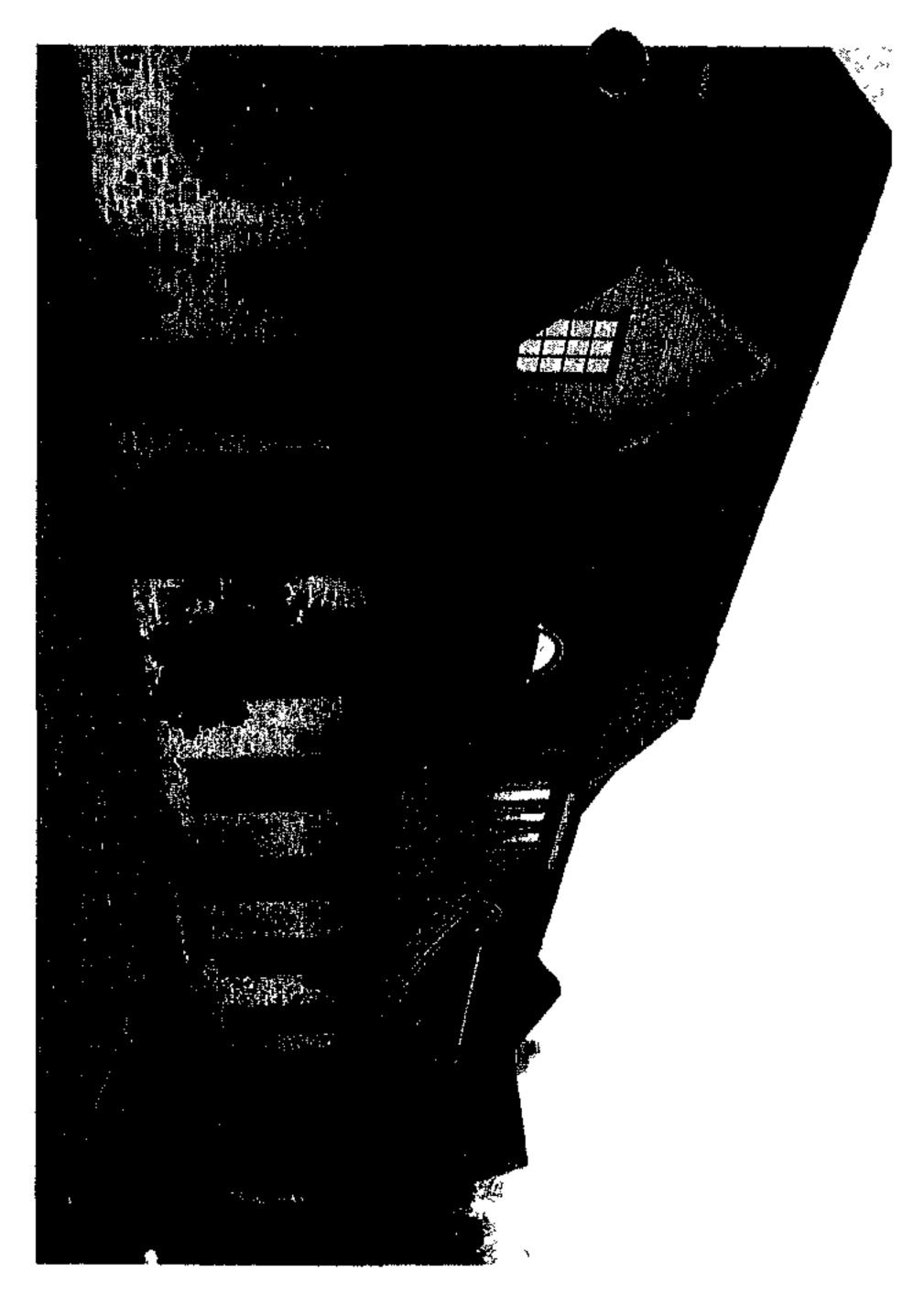


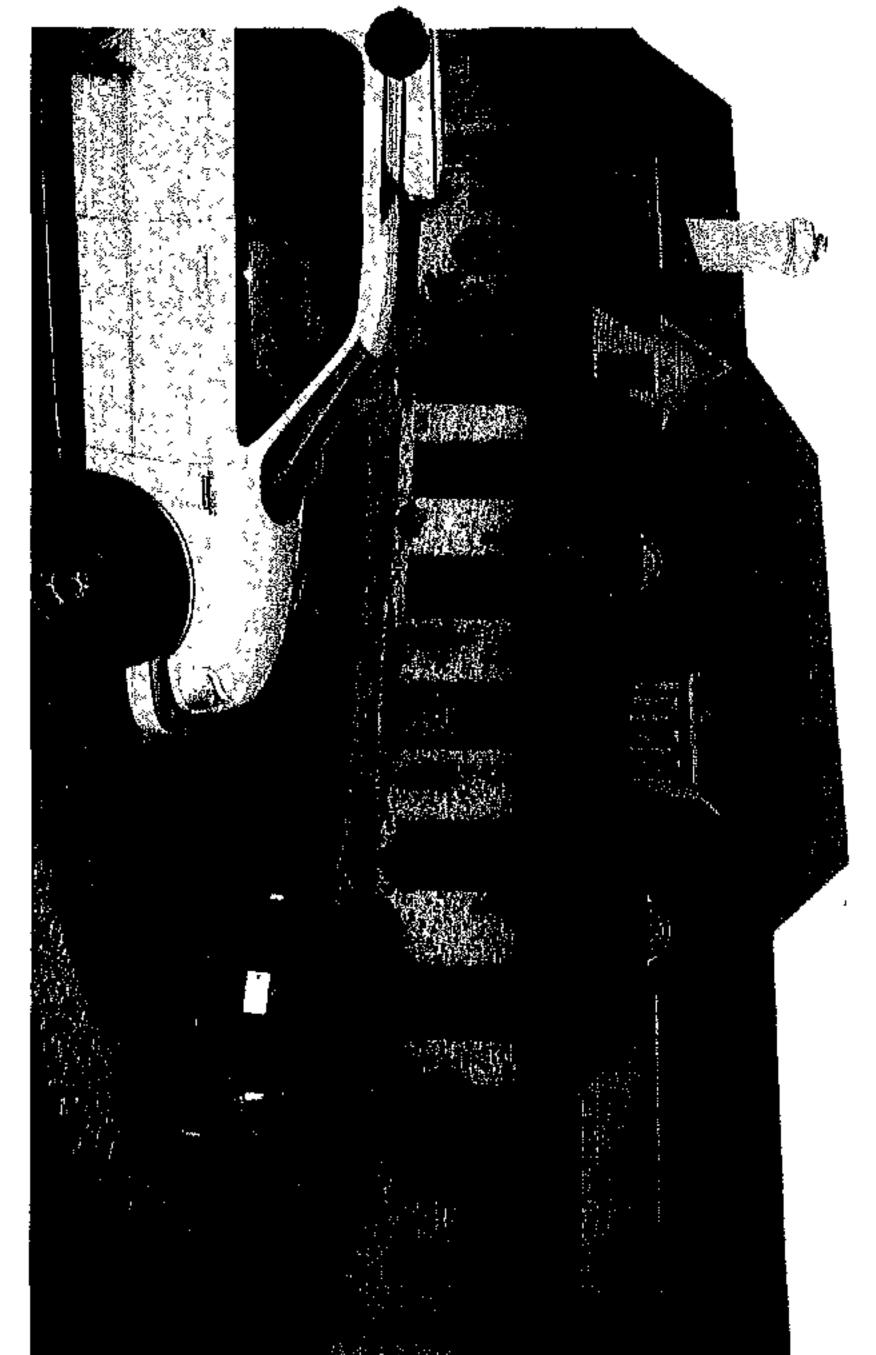
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
Ext. Rene Eiel.







Ext. SiDE YART



& ASSOCIATES, LLC

PLANNING

LANDSCAPE ARCHITECTURE

GARDEN DESIGN

6600 YORK ROAD, SUITE 200 BALTIMORE, MARYLAND 21212 TEL 410.377.0703 FAX 410.377.0996

MW&A, LLC DOES NOT WARRANT THE ACCURACY OF ANY DIMENSIONS SET FORTH HEREON. THE CONTRACTOR IS RESPONSIBLE FOR VERIFIYING ALL SITE CONDITIONS TO INCLUDE FIELD DIMENSIONS WHERE APPLICABLE. SHOULD THERE BE ANY DISCREPANCIES
WITH THIS CONSTRUCTION DRAWING
PACKAGE, MW&A, LLC SHOULD BE NOTIFIED IMMEDIATELY FOR RESPONSE. IF THE CONTRACTOR ELECTS TO MAKE ANY CHANGES ON THEIR OWN WITHOUT NOTIFYING MW&A, LLC, THEY ARE

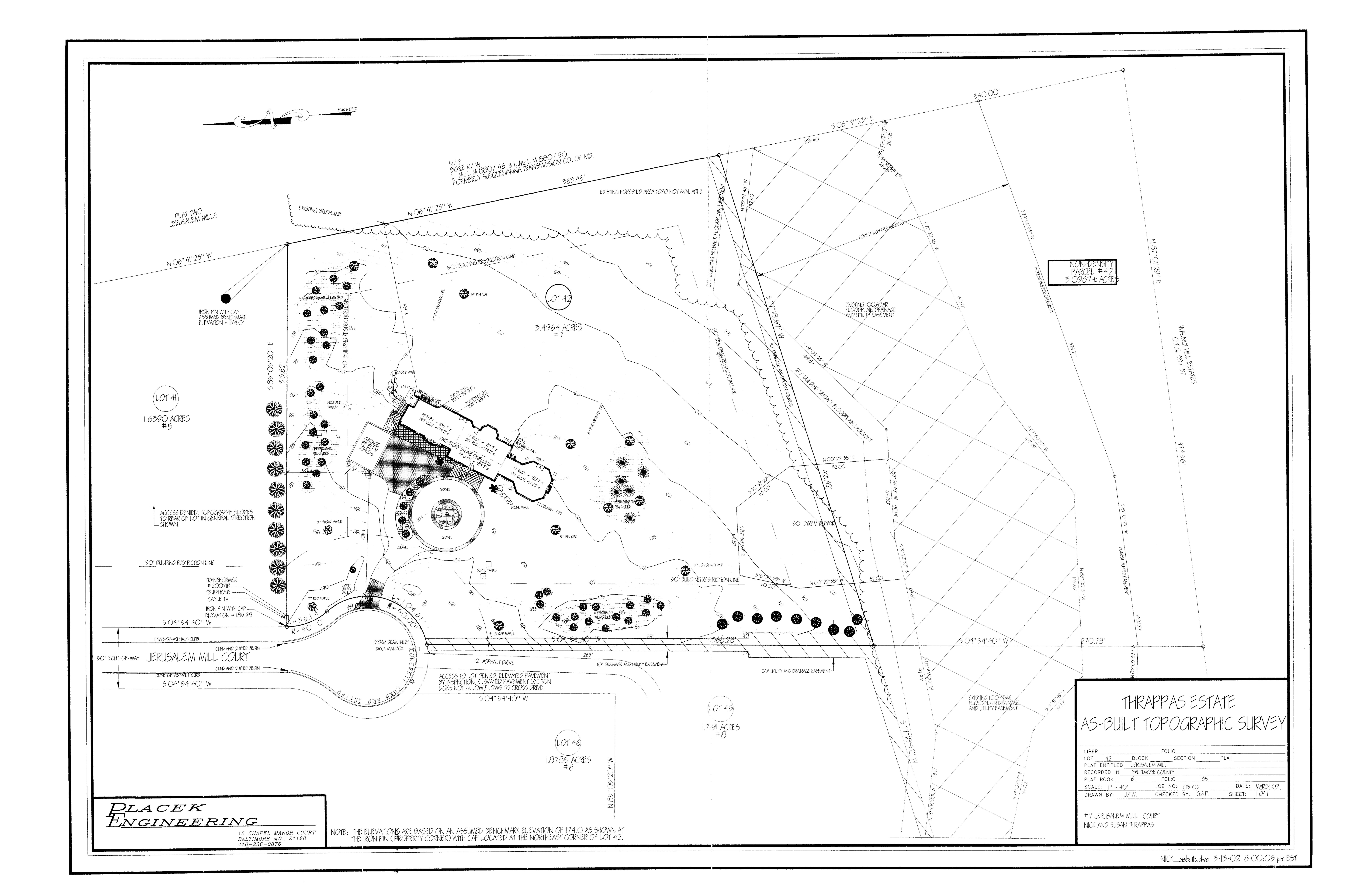
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
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Scale: As Noted Project No.: 0422

GRADING PLAN

Drawing No.







JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

July 13, 2006

JOHN N. AND SUSAN M. THRAPPAS 7 JERUSALEM MILL COURT COCKEYSVILLE MD 21030

Re: Petition for Administrative Variance

Case No. 06-647-A

Property: 7 Jerusalem Mill Court

Dear Mr. and Mrs. Thrappas:

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

JVM:pz

Enclosure

c Tim Sanders, Sanders Designs, 9727 Greenside Drive, Suite 202, Cockeysville MD 21030