IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Aaron Mee Way, west of
c/l of Lennings Lane
14th Election District
7th Councilmanic District
(6617 Aaron Mee Way)

Joseph C. and Alicia Taylor Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 07-032-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, Joseph C. and Alicia Taylor. The variance request is for property located at 6617 Aaron Mee Way. The variance request is from Sections 1B02.3A.1, 504.2 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an open projection (deck) with a 12 foot rear setback in lieu of the required 22.5 feet and to amend the Final Development Plan of Lennings Crossing, Lot #9 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that due to the slope of the backyard they are unable to fully utilize the backyard in its current condition. Due to poor grading of the backyard there is improper drainage which causes the backyard to be like a marshland. Under the current regulations they would only be allowed to have an 8 foot deck. The adjacent property owner at 6619 Aaron Mee Way has no objection to the proposed deck.

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.

Service Consideration of the C

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 August 4, 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 6th day of September, 2006, that a variance from Sections 1B02.3A.1, 504.2 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an open projection (deck) with a 12 foot rear setback in lieu of the required 22.5 feet and to amend the Final Development Plan of Lennings Crossing, Lot #9 only 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

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JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

September 6, 2006

JOSEPH C. AND ALICIA TAYLOR 6617 AARON MEE WAY BALTIMORE MD 21237

Re: Petition for Administrative Variance

Case No. 07-032-A

Property: 6617 Aaron Mee Way

Dear Mr. and Mrs. Taylor:

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	6617	Hars	- 17	lee!	<u>حب</u>
		ntly 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) 1802.3A.1, 504.2 (BCZR), 301.1

TO PERMIT AN OPEN PROJECTION (DECK) WITH A 12-FOOT REAR SETBACK IN LIEU OF THE REQUIRED 23.5-FEET.

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.

				the legal owner(s) of the Petition.	
Contract Purchas	er/Lessee:		Legal Owner(s):	-	
Name - Type or Print			Name - Type or Print	C-TAYLOR.	<u></u>
Signature			Signature	- 1 - 1 -	
Address	<u> </u>	Telephone No.	Name - Type or Print _		
City	State	Zip Code	Signature		
Attorney For Petit	ioner:	•	Address	ON MEE WAY	Telephone No.
Name - Type or Print			City BALTO.	Y) D State	2)237 Zip Code
	<u> </u>		Representative to	o be Contacted:	- -
Signature				-	
Company Le 35	·	 	Name	-	
Address	بر المعالم الم	Telephone No.	Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.
City -	State	Zip Code	City	State	Zip Code
A Public Hearing having this day of regulations of Baltimore C	th	at the subject matter of	e required, it is ordered by the this petition be set for a public Zoning Commi	ne Zoning Commissioner of hearing, advertised, as received issioner of Baltimore Countries.	quired by the zoning
CASE NO.	07-032-		viewed By D.T.	Date 7 10 0	هـــــــــــ
REV 10/25/01	MERCHANIC RES	Es Es	timated Posting Date	8/10/06	/

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	6617	Mee Wh.	
	Address	<u>~)</u>	21237
-	City	State	Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts upon wing or practical difficulty):	hich I/we base the reques	t tor an Administrative
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2 Due to posit grading			
which consus This ar	en who kan hille	a increhi	•
3. Under the corrent, es woold be sillowed.	5-121 3-15	=- eist fist	deck
That the Affiant(s) acknowledge(s) that if a fo			
advertising fee and may be required to provide a	additional information.	-	pay a ropouning and
Jaseph Salar			 -
Signature	Signature	· · · · · · · · · · · · · · · · · · ·	
Name - Type or Print	Name - Ty	pe or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:		
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per	rsonally appeared	2006, before me, a Not	ary Public of the State
Joseph TAUlor	And F	Mician TAY	/or cc € : -
the Affiant(s) herein, personally known or satisfa	ectomy identified to me as a	VALERIE LEWANE	OWSKI
AS WITNESS my hand and Notarial Seal	Valeen	Notary Public, State of Baltimore County My Commission Expires:	Maryland -
	Notary Public		7. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5.
	My Commission	Expires _/ U/	6, 1008

Affida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at Address
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):
1 (eas-16) the zoning Regulations cannot be meton our property
1. Due to the shaping of the backgard space we are unable to filly stilize our backgard in it's correct condition.
2. Due to pour grading we have improper drainage uhich consest this area to be like a marshland.
3. Under the correct regulations only are eight fait deck
ensolelle enlament.
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.
Solest Schille (Chining Vand
Signature Signature Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 7 day of 1/2/2 day of Maryland, in and for the County aforesaid, personally appeared
To seph TAylor And Alcia TAylor the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal VALERIE LEWANDOWSKI Notary Public, State of Maryland Baltimore County
My Commission Expires: July 6, 2008

Notary Public

My Commission Expires 10/46, 2008

REV 10/25/01



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	6617 Aoron Mee Way
	is presently zoned <u>D. 12.3.5</u>

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) 1002.3A.1,504.2,301.1 (BCZR)

TO PERMIT AN OPEN PROJECTION (DECK) WITH A 12-FOOT REAR SETEACK IN LIEU OF THE REQUIRED 22.5-FEET.

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: JOSEPH C. TAylor Name - Type or Print Name - Type or Print Signature Signature 0/ Telephone No. Name - Type or Print Address Zip Code State City Signature MEE WAY HARON Attorney For Petitioner: Address Telephone No. BALTO. MD City Zip Code State Name - Type or Print Representative to be Contacted: Signature Name Company Address Telephone No. Telephone No. -Address Zip Code Zip Code City 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 this _____ day of ___ regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County Reviewed By 07-032-A CASE NO.

Estimated Posting Date _

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 6617 AARON MEE WAY

Beginning at a point on the <u>East</u> side of <u>Aaron Mee Way</u> which is <u>50 feet</u> wide at the distance of <u>555</u> <u>feet West</u> of the centerline of the nearest improved intersecting street <u>Lennings Lane</u> which is <u>50</u> <u>feet</u> wide. Being Lot # <u>9</u> as shown on a Plat entitled <u>"Plat of Lennings Crossings"</u> as recorded in Baltimore County Plat Book # <u>76</u>, Folio # <u>23</u>, containing <u>0.1381</u> acres. Also known as <u>6617 Aaron Mee</u> Way and located in the <u>14th</u> Election District, <u>7</u> Councilmanic District.

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CERTIFICATE OF POSTING

	RE: Case No: 01-032-4
	Petitioner/Developer: TAYLOR
	Date Of Hearing/Closing: 8/21/06
Baltimore County Department Permits and Development Mar County Office Building, Roon 111 West Chesapeake Avenue	nagement n 111
Attention:	
Ladies and Gentlemen:	
sign(s) required by law were po	he penalties of perjury that the necessary osted conspicuously on the property Leur AALON MEE WAY
This sign(s) were posted on	Aucust 4, 2001 (Month, Day, Year) Sincerely, Wature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court Address Balto. Md 21220

AUG 7 2006

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 07-	032	-A	Address_	6617 AARON	I MEE WAY	
Conta	ct Person: _	DONNA TH Planner,	OMPSON Please Print Your Na	ame	Ph	one Number: 41	10-887-3391
Filing	Date:	25/06	Posti	ng Date: _	8/6/06	Closing Date:	8/21/06
Any o	ontact made the contact	e with this off t person (plan	ice regarding ner) using the	the status	s of the admini ber.	istrative variance	e should be
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2.	ra formal∷re	quest for a p	ublic hearing:	Please i	understand that	wner within 1,00 even if there is sing date.	s no formal
3.	commission order that to (typically with	er. He may: the matter be thin 7 to 10 da	(a) grant the set in for a ys of the clos	requested public hea ing date) a	relief; (b) deny aring. You will is to whether the	ne zoning or de the requested receive written e petition has be by First Class n	relief; or (c) notification en granted.
4. : .	(whether du commission changed give	ue to a neigh er), notification ring notice of t	bor's formal r n will be forv he hearing da	equest or varded to te. time an	by order of the you. The sign	must go to a pure zoning or de n on the proper when the sign will disign must be f	puty zoning ty must be as originally
			(Detach	Along Dotted Li	ine)		
Petitio	oner: This F	art of the For	m is for the S	ign Poste	r Only	, ·	.
		USE THE	DMINISTRAT	IVE VARI	ANCE SIGN FO	RMAT	
Case	Number 07-	032 -A	Addres	ss <u>6617</u>	AARON MEE	WAY	
Petitio	ner's Name	TAYLOR	<u>.</u>	·	Telep	hone 443-25	50-85lda
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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.

For Newspaper Adve	rtising:		
Item Number or Case	Number:	07-032	<u>-A</u>
Petitioner:	TAYL	OR	
Address or Location:	6617 AA	RON MEE L	JAY
PLEASE FORWARD Name:	ADVERTISING BIL NR. JOSEPH	_	
Address:	ole 17 PARON 1	MEE WAY	
	BALTO MO		
Telephone Number:	시시3-,	250-8566	



JAMES T. SMITH, JR. County Executive

August 21, 2006

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Joseph C. Taylor Alicia Taylor 6617 Aaron Mee Way Baltimore, MD 21237

Dear Mr. and Mrs. Taylor:

RE: Case Number: 07-032-A, 6617 Aaron Mee Way

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 10, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

U. Callibal)

Cupci visci,

WCR:amf

Enclosures

c: People's Counsel

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) 7-032- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

RECEIVED

DATE: August 29, 2006

AUG 3 1 2006

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 4, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 7, 2006

Item Nos. 96-492, 07-015, 024, 025, 027,

029, 030,/032, and 033

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-08012006.doc

To Whom It May Concern:

I, Edward M. Trusty, Jr., whom resides at 6619 Aaron Mee Way in Rosedale, Maryland, present no opposition to the proposed structure (backyard deck) to be constructed at the residence of Joseph and Alicia Taylor at 6617 Aaron Mee Way in Rosedale, Maryland.

Kind Regards,

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

August 1,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: July 31,2006

Item No.: 492, 015, 024, 025, 027, 028, 029, 030, 032, 033, 034 and 035.

Pursuant to your request, the referenced plan(s) have been reviewed by the Fire Marshal's Office 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 410-887-4880 MS-1102F



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: 8.1.06

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

RE:

Baltimore County

Item No. 232

DT

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.

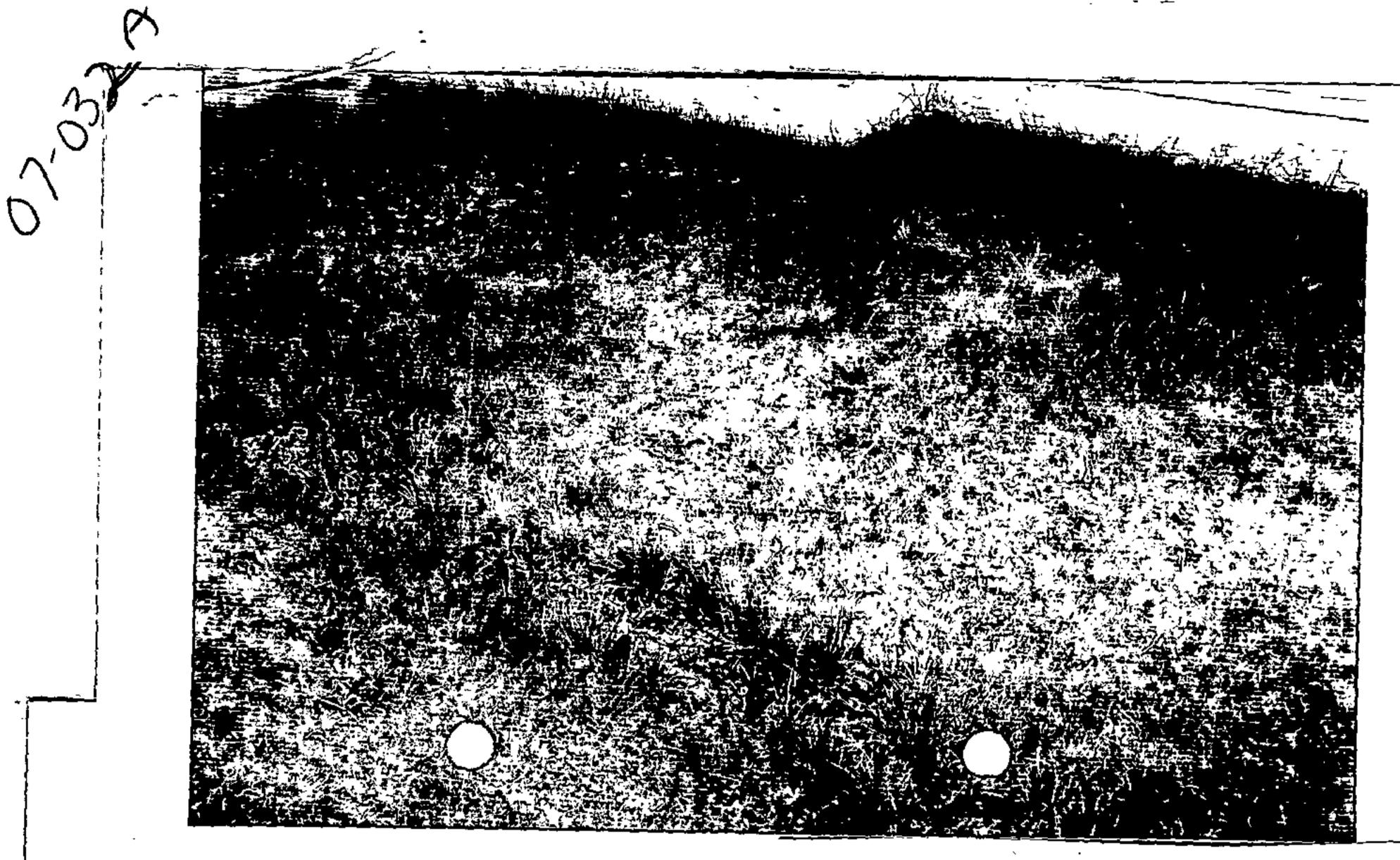
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

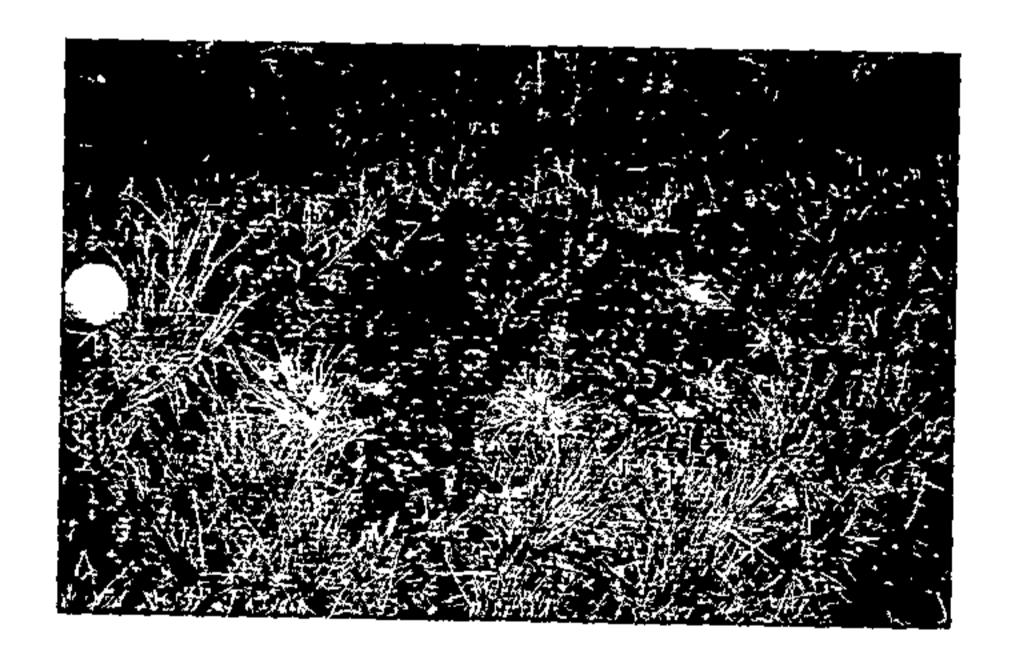
Very truly yours,

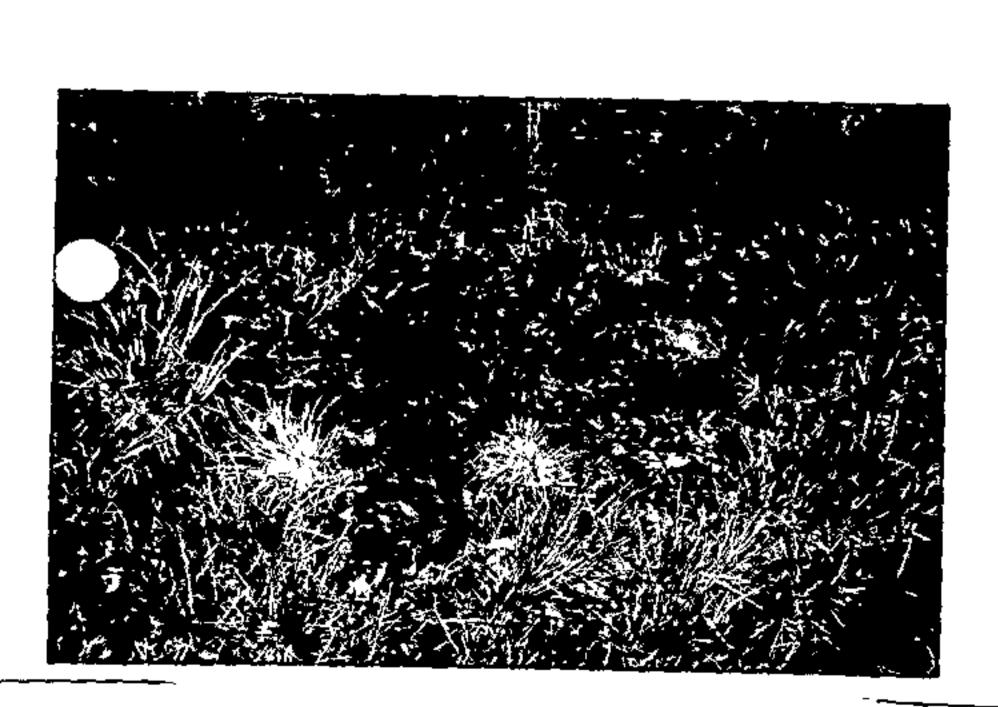
Steven D. Foster, Chief

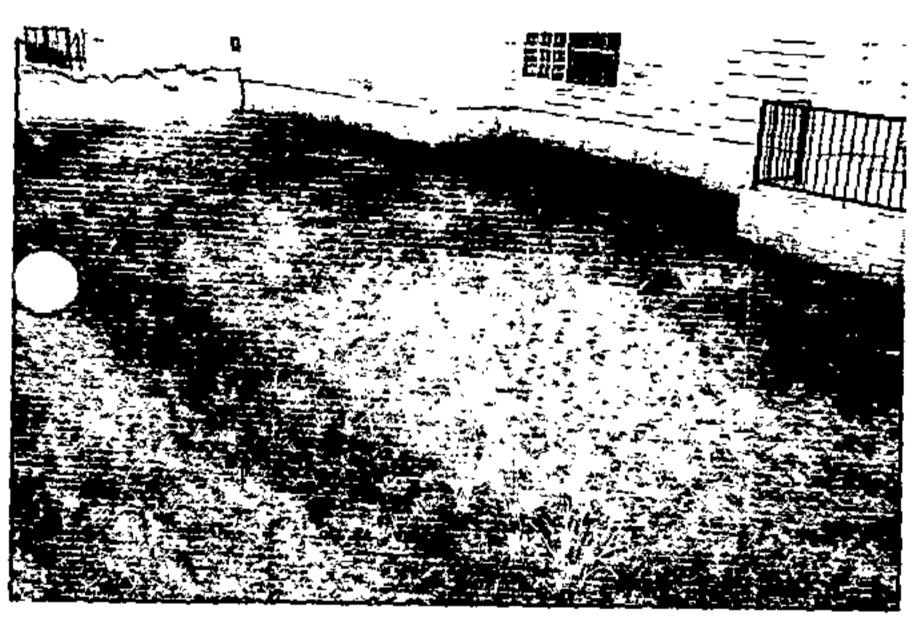
1. J. Smill

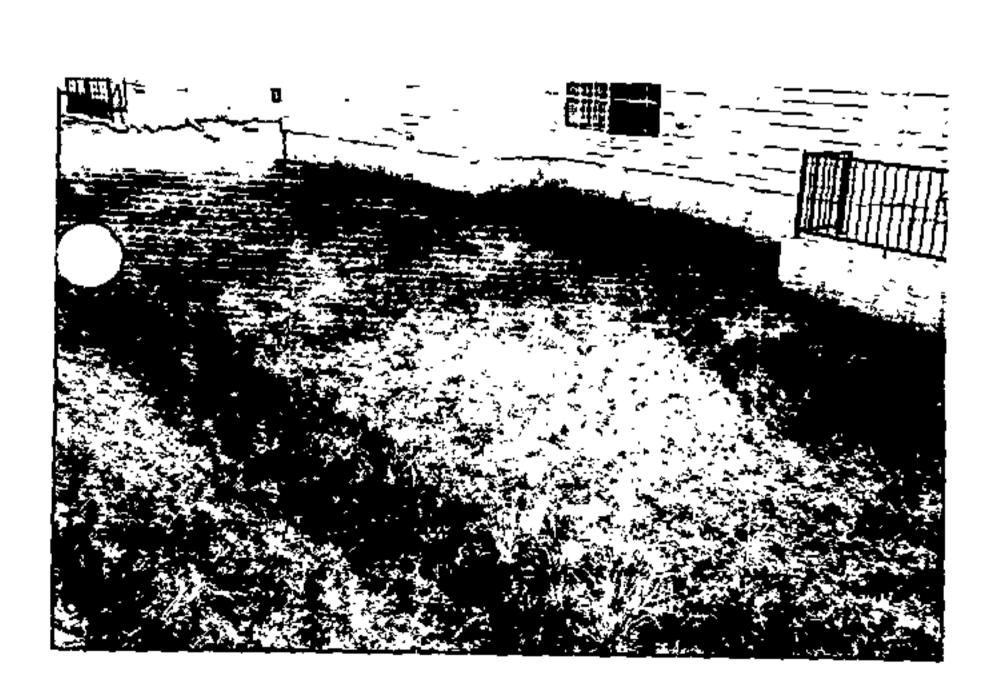
Engineering Access Permits Division







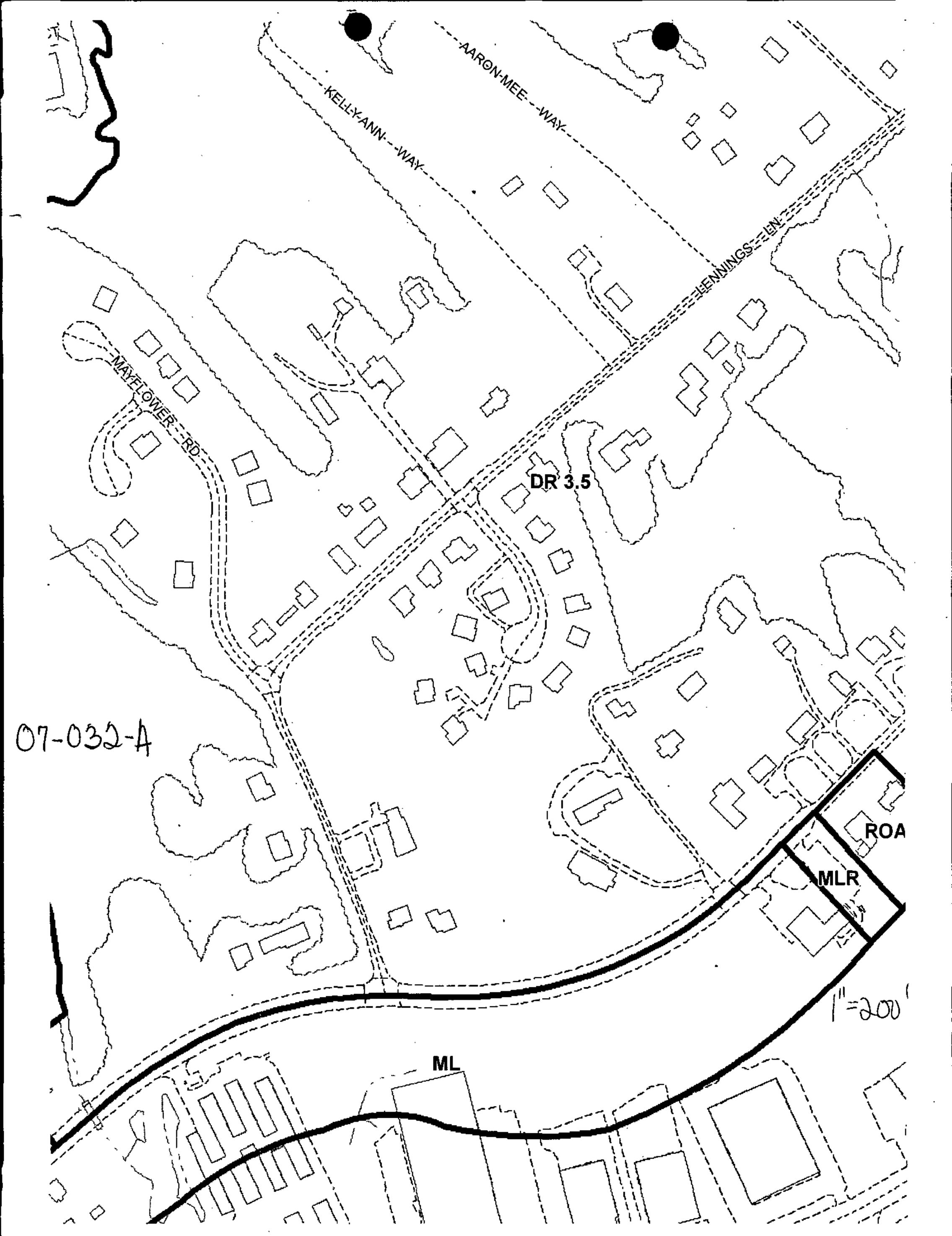






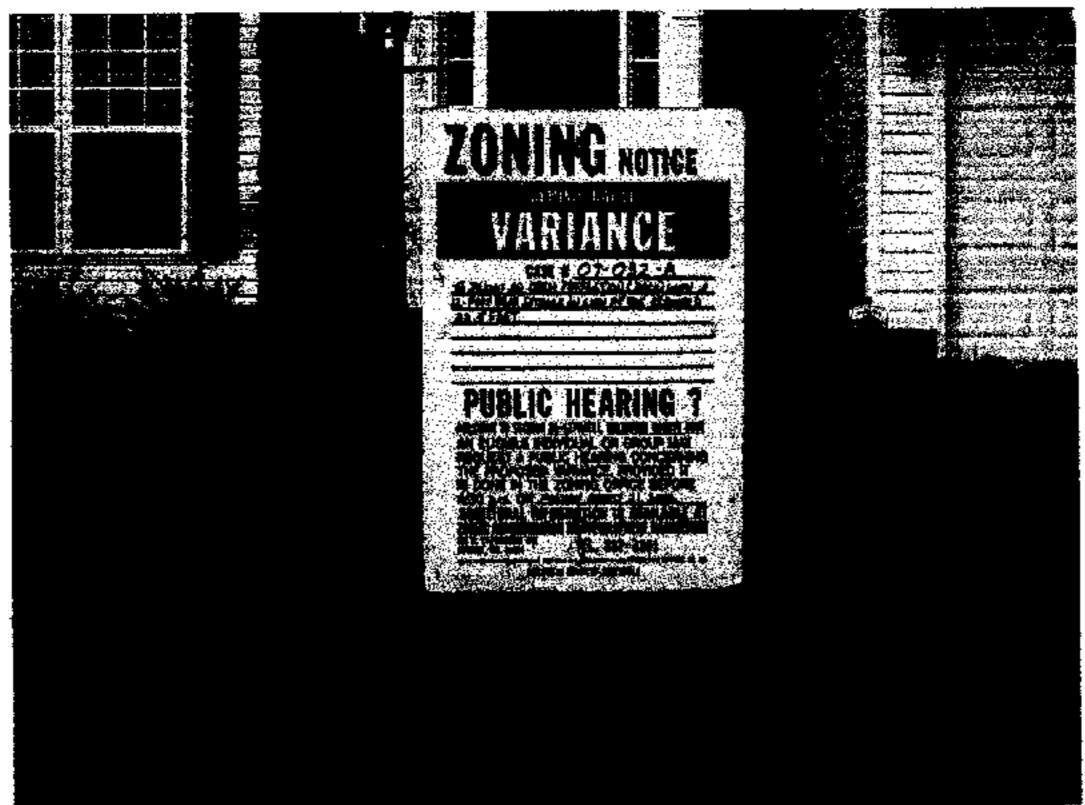


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PREPARED BY JCT SCALE OF DRAWING: 1" = 30'	_		31' LOT 10 32' 30' 24'- W'+ FRONT		10't 34'x20'	ED & CLANDINE 100' Brown 62' SINGH DAJH & KAVR GURMIT	EASEMENT.	PROPERTY ADDRESS 6617 AAILON MEE WAY SEE PAGES 5 8 6 OF THE CHECKLIST FO SUBDIVISION NAME LENNINGS CROSSING PLAT BOOK # 76 FOLIO # 23 LOT # 9 SECTION #	PLAT TO ACCOMPANY PETITION FOR JONING WINDIANG
032 - 014	HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING NOWE ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #	BAY AREA	PUBLIC PRIVATE	SCALE MAP # (C	ELECTION DISTRICT #14 COUNCIL MANIC DISTRICT 7	SCALE	STRUMING WALLS	N TO TO	CDECIAL

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Mart. Och 8/4/06

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