

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N side Wildwood Road, 312 feet SE		
C/I Cliffwood Road		
14 th Election District	*	DEPUTY ZONING COMMISSIONER
6 th Councilmanic District		
(11 Wildwood Road)	*	BALTIMORE COUNTY
 Rhonda D. and Lawrence Sinkler		
<i>Petitioners</i>	*	CASE NO. 07-374-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, Rhonda D. and Lawrence Sinkler. The variance request is for property located at 11 Wildwood Road. The variance request is from Sections 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition to have a side yard setback of 8.5 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners need to expand the master bedroom and a second bedroom, and add a walk-in closet in the master bedroom. This is the only side of the house where they can expand both bedrooms. The addition cannot be placed in the rear of the home because the back yard contains an in-ground swimming pool and concrete patio.

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

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3-26-07
P3

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 March 3, 2007 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.

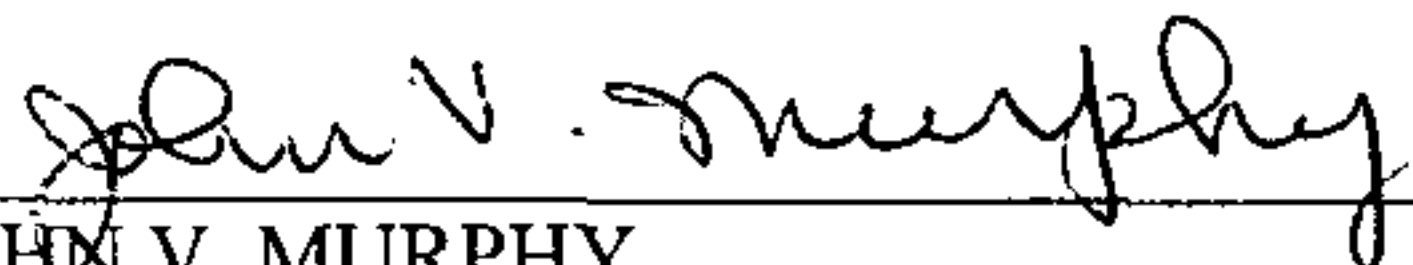
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 26th day of March, 2007 that a variance from Section 1B02.3.C.1 of the

326-02
103

Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition to have a side yard setback of 8.5 feet in lieu of the required 10 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.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

3-26-07
PZ



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11 Wildwood Rd/St
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302.3.C.1 - to permit a

proposed addition to have a side yard setback of 8 1/2 feet in lieu of the required 10

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 07 day of March 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. 07-374-A

Reviewed By RDD

Date 2/21/07

REV 10/25/01

Estimated Posting Date 3/04/07

RECEIVED FOR FILE

3-26-07

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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 .

11 Wildwood Rd
Address
Baltimore MD 21206
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):

NEED TO EXPAND MASTER AND SECONDARY BEDROOMS
AND TO ADD A WALKIN CLOSET IN THE MASTER
BEDROOM. THIS IS THE ONLY SIDE OF THE HOUSE WE
WOULD BE ABLE TO EXPAND BOTH BEDROOMS

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.

Rhonda D. Sinkler
Signature
Rhonda D. Sinkler
Name - Type or Print

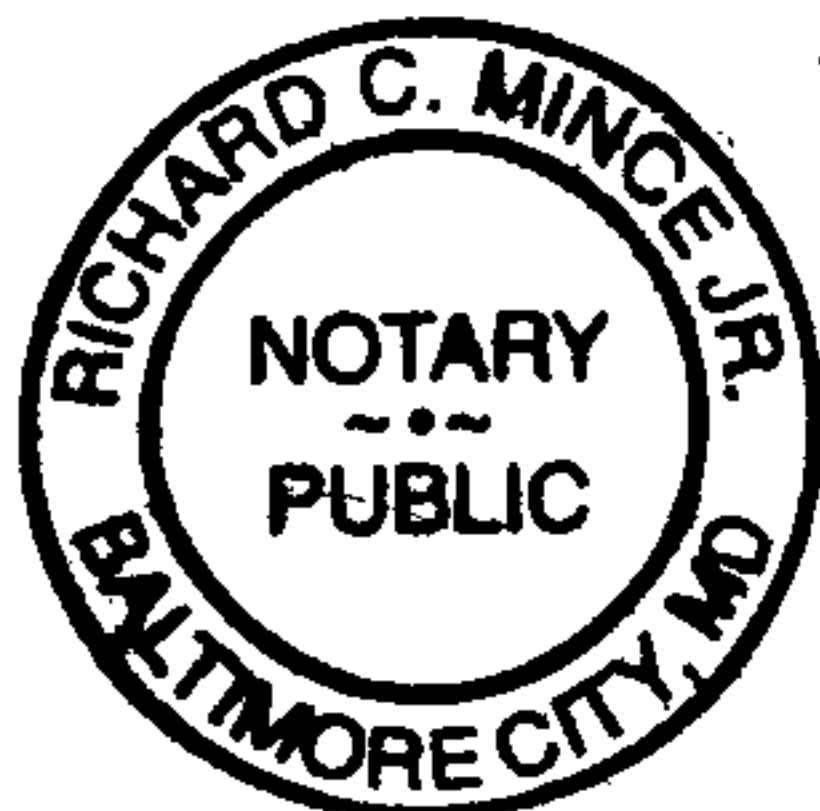
Lawrence Sinkler
Signature
LAURENCE SINKLER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of February, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Lawrence Sinkler and Rhonda Delene Sinkler
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



REV 10/25/01

Richard C. Mince Jr.
Notary Public
My Commission Expires 05/01/09

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 374 -A Address 11 Wildwood Rd

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/21/07 Posting Date: 3/04/07 Closing Date: 3/19/07

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 07- 374 -A Address 11 Wildwood Rd

Petitioner's Name L + R Sinkler Telephone 410 661 9677

Posting Date: 3/04/07 Closing Date: 3/19/07

Wording for Sign: To Permit a proposed addition to have a side yard setback of 8 1/2 feet in lieu of the required 10'

Zoning Description

ZONING DESCRIPTION FOR 11 Wildwood Road
(address)

Beginning at a point on the north east side of

Wildwood Road which is 25 feet

wide at the distance of 312 feet south east of the

centerline of the nearest improved intersecting street Cliffwood Road

which is 25 feet wide. Being Lot # 35, 36

Block ____, Section # 9 in the subdivision of Wildwood Road

as recorded in Baltimore County Plat Book # 8, Folio # 20

containing 10,115.5749 sq ft. Also known as 11 Wildwood Road

and located in the 14 Election District, 6 Councilmanic District.

Item # 374

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: 07-374-A

Petitioner: LAWRENCE SINKLER

Address or Location: 11 WILLOWOOD AVENUE BALTIMORE, MD 21206

PLEASE FORWARD ADVERTISING BILL TO:

Name: LAWRENCE SINKLER

Address: 11 WILLOWOOD AVENUE
BALTIMORE, MD 21206

Telephone Number: 410-661-9677

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 24085

DATE 2/21/07 ACCOUNT 2001 006 0150

AMOUNT \$ 65.50

RECEIVED
FROM:

FOR: Variape request case # 07-374-A

DISTRIBUTION
WHITE - CASHIER

PINK AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTION TIME 10:00

2/22/2007 2/21/2007 10:00:10

REG 15012 MAIL TRUCK FEE

>> RECEIPT # 306093 2/21/2007 QTRN

Dept 5 520 JUDICIAL VERIFICATION

CR NO. 024085

Receipt Tot 165.00

\$.00 CR

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 07-374-A

Petitioner/Developer: L & R SINKLER

Date Of Hearing/Closing: 3/19/07

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 11 WILDWOOD RD

This sign(s) were posted on March 3, 2007
(Month, Day, Year)

Sincerely,

Martin Ogle 3/3/07
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

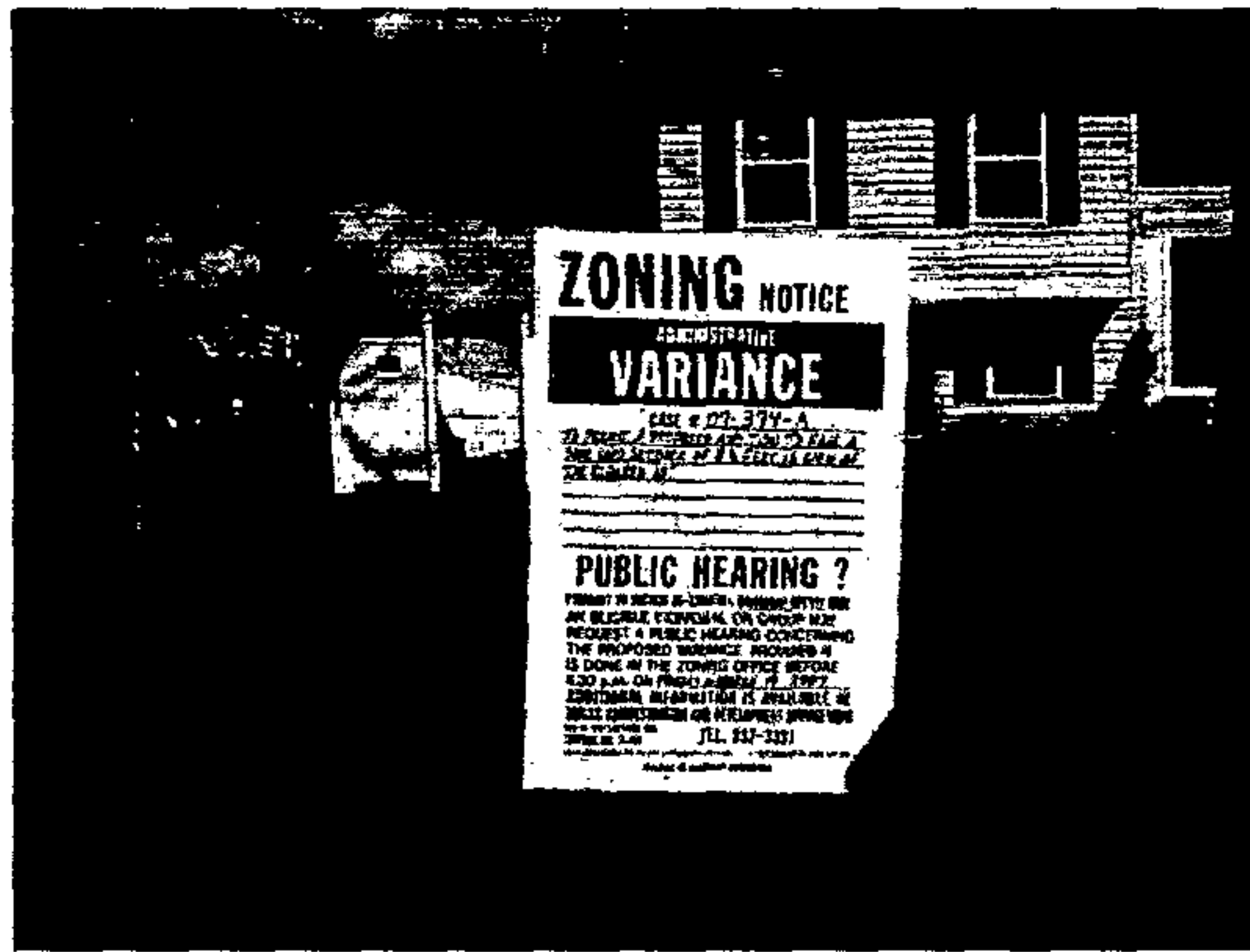
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im001013 (576x432x24b jpeg)



W. J. [illegible] 3/3/07



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

March 19, 2007

Rhonda D. Sinkler
Lawrence Sinkler
11 Wildwood Road
Baltimore, MD 21206

Dear Mr. and Mrs. Sinkler:

RE: Case Number: 07-374-A, 11 Wildwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 21, 2007.

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

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

Very truly yours,

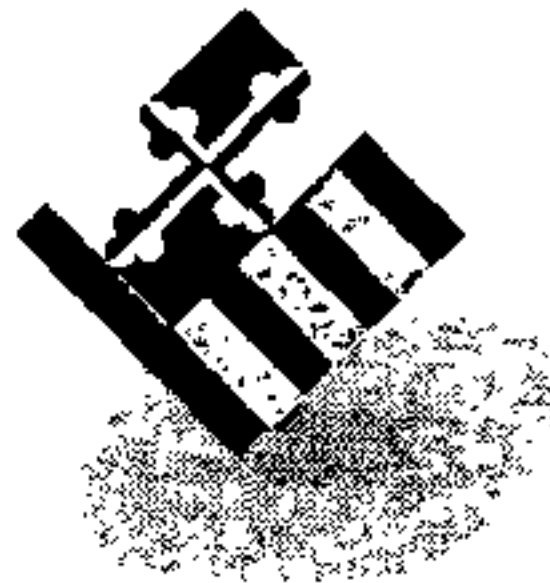
A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 26, 2007

RHONDA D. AND LAWRENCE SINKLER
11 WILDWOOD ROAD
BALTIMORE MD 21206

Re: Petition for Administrative Variance
Case No. 07-374-A
Property: 11 Wildwood Road

Dear Mr. and Mrs. Sinkler:

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".

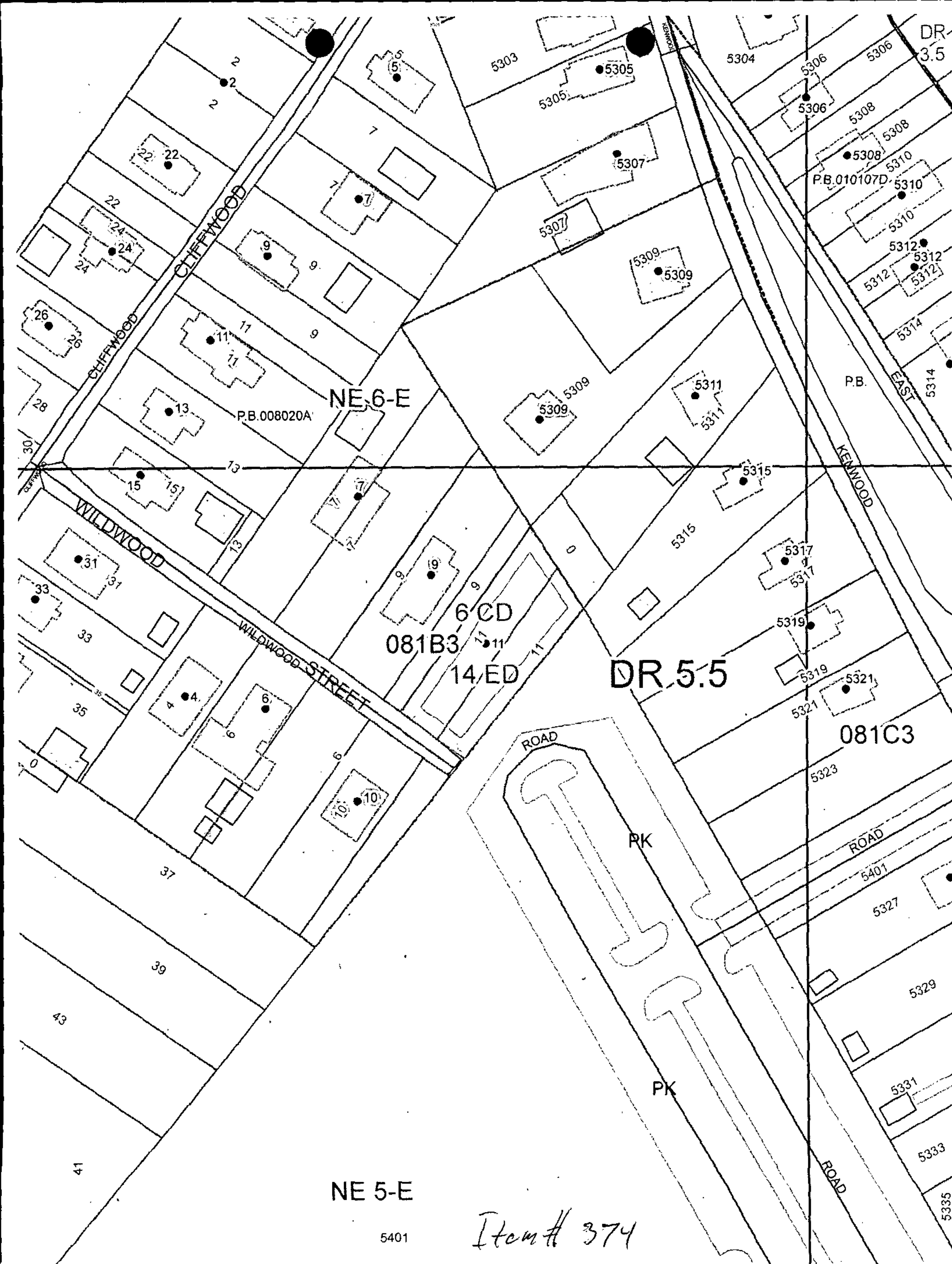
John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

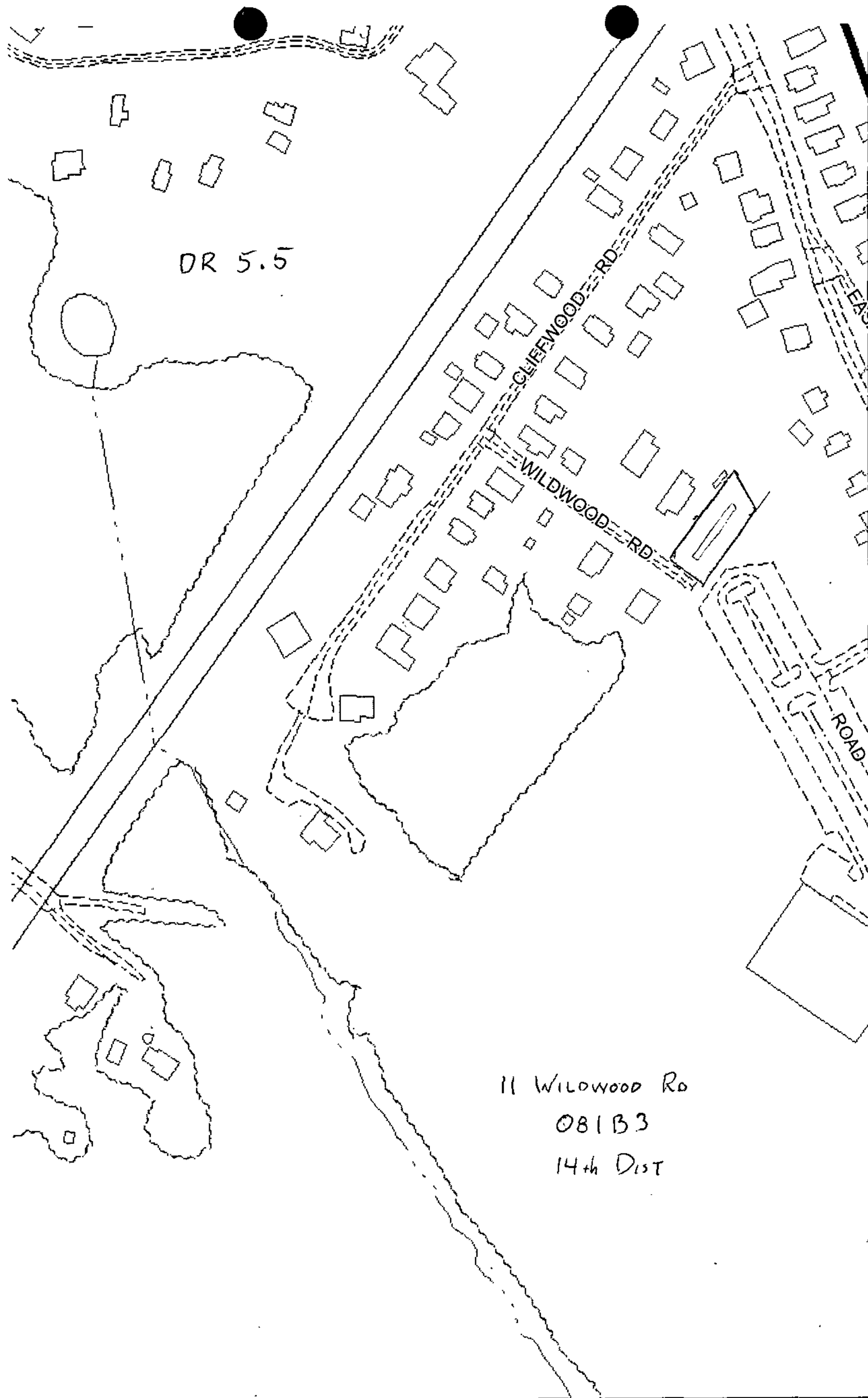
Enclosure



Item # 374



Item # 374



11 Willowood Rd
081B3
14th Dist

Item # 374

SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Lawrence and Rhonda Sinkler
Property Address: 11 Wildwood Road
City: Baltimore
Lender: JP Morgan Chase Bank, NA/LSI

File No.: 79740594
Case No.: 19042916
State: MD
Zip: 21206



**FRONT VIEW OF
SUBJECT PROPERTY**

Appraised Date: November 16, 2006
Appraised Value: \$ 328,000



**REAR VIEW OF
SUBJECT PROPERTY**



STREET SCENE

Item # 374

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

March 9, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 5, 2007

Item Number: 374 through 388

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
Department of Permits & Development
Management

DATE: March 6, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For March 12, 2007
Item Nos. 07-374, 377, 378, 379, 380, 381,
382, 383, 384, 385, 386, 387, and 388

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-03062007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 31, 2007

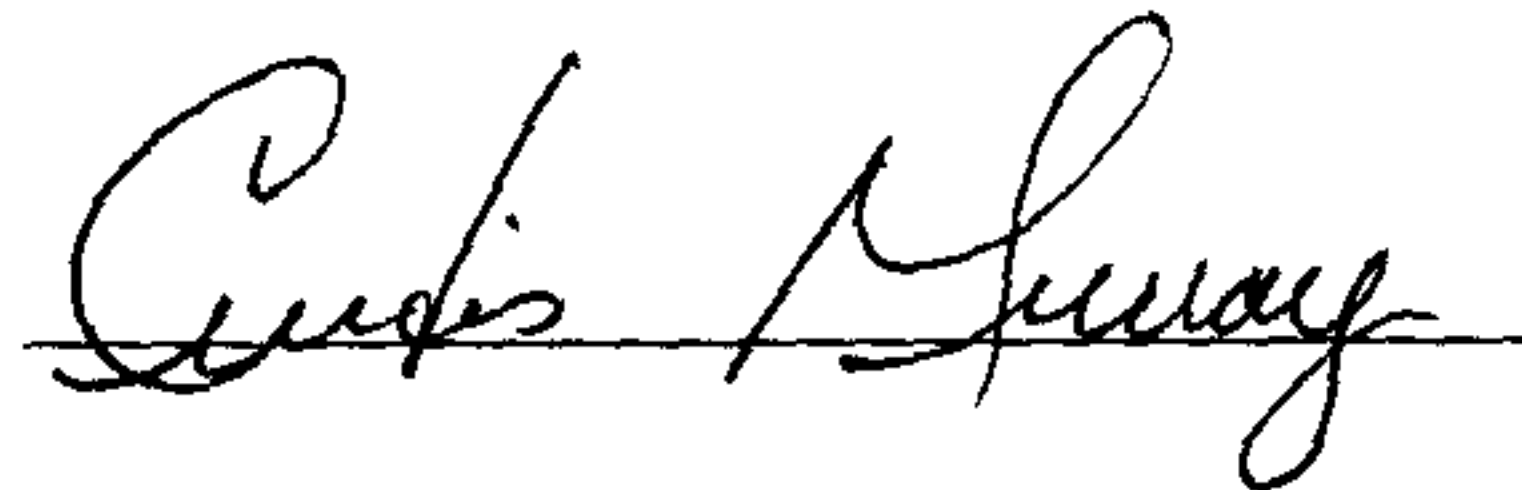
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-374- 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

2007

ZONING COMMISSIONER



Martin O'Malley, Governor
Anthony Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary Designate
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 6, 2007

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

RE: Baltimore County
Item No. 07-374-A
SINKLER
11 WILDWOOD ROAD
ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 07-374A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For ¹ Steven D. Foster, Chief
Engineering Access Permits
Division

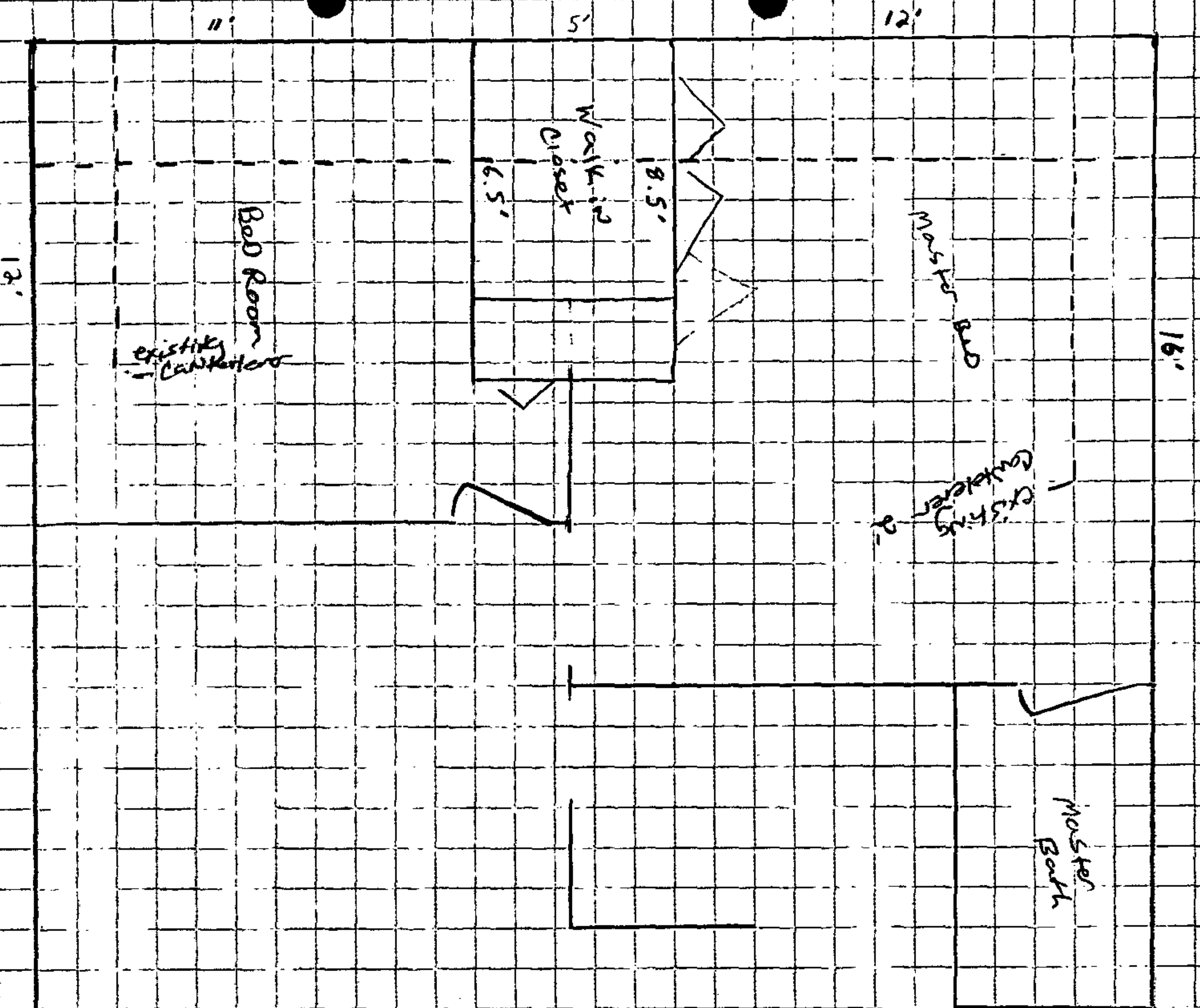
SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

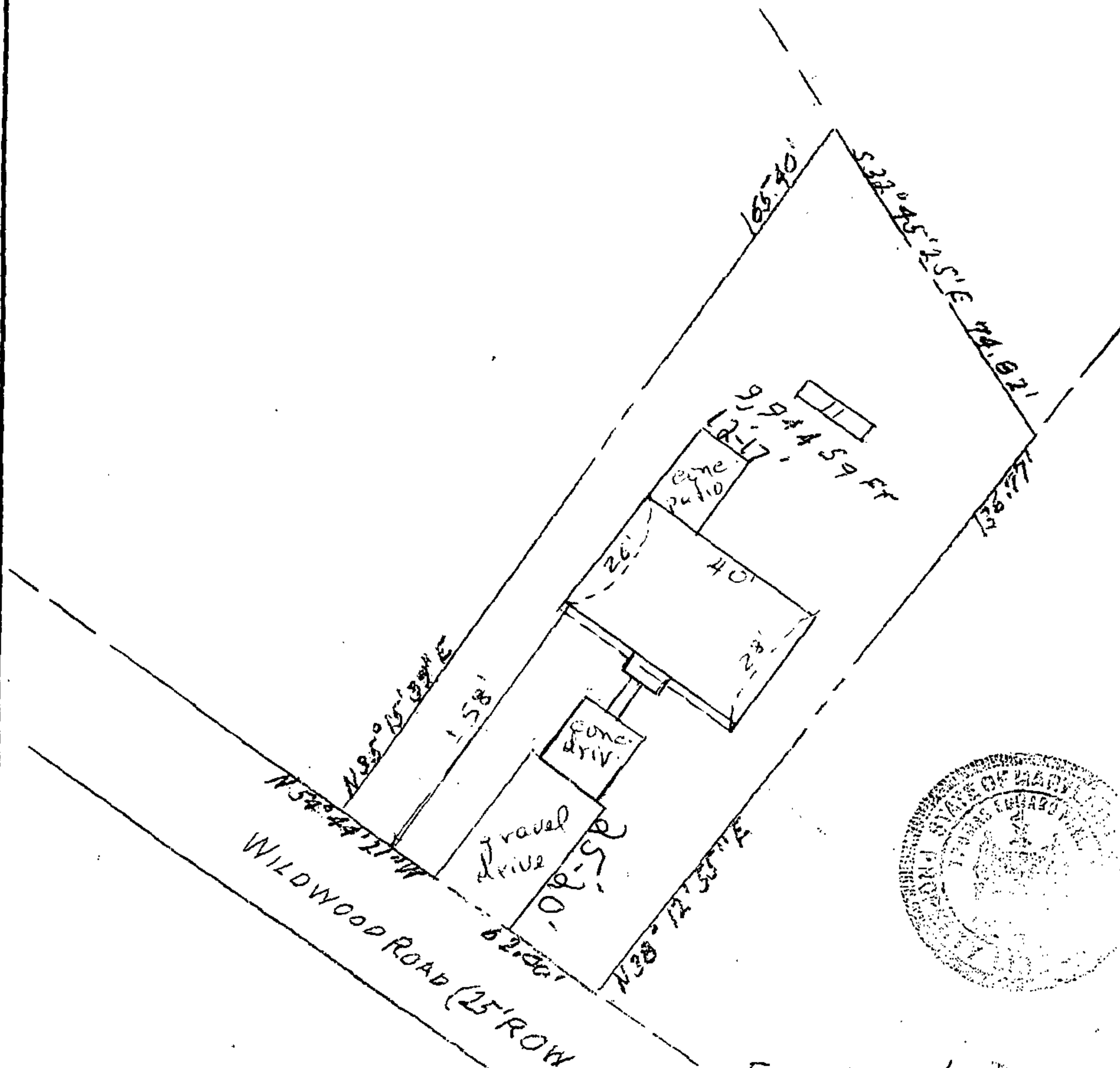
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com





- ADD 3' x 38' using joist 16 center
- ADD: 1/2" floor joist 16 center
- 2x12 floor joist in center
- TRIPLE 2x12 in joist for great for left
- 2x6 wall insulation for noise control to be good
- Foundation to be good
- 1/2" perge walls
- 2x6 inward rafters
- 2' center

Item # 374



THIS DOES NOT CONSTITUTE A PROPERTY LINE SURVEY.
THIS WILL CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS
ON THE ABOVE PROPERTY AS INDICATED.

THOMAS E. PHELPS AND ASSOCIATES, INC.

REGISTERED PROPERTY LINE SURVEYORS

945 BARRON AVENUE
BALTIMORE, MARYLAND 21221

OFFICE: (301) 574-8744

FINAL 03/21/02

LOCATION SURVEY
11 WILD WOOD RD
CLIFTWOOD
BALTIMORE COUNTY, MD.

Plat Book 8 Folio 20

Scale 1"=30'.... Date 3/15/02.

Item # 374

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

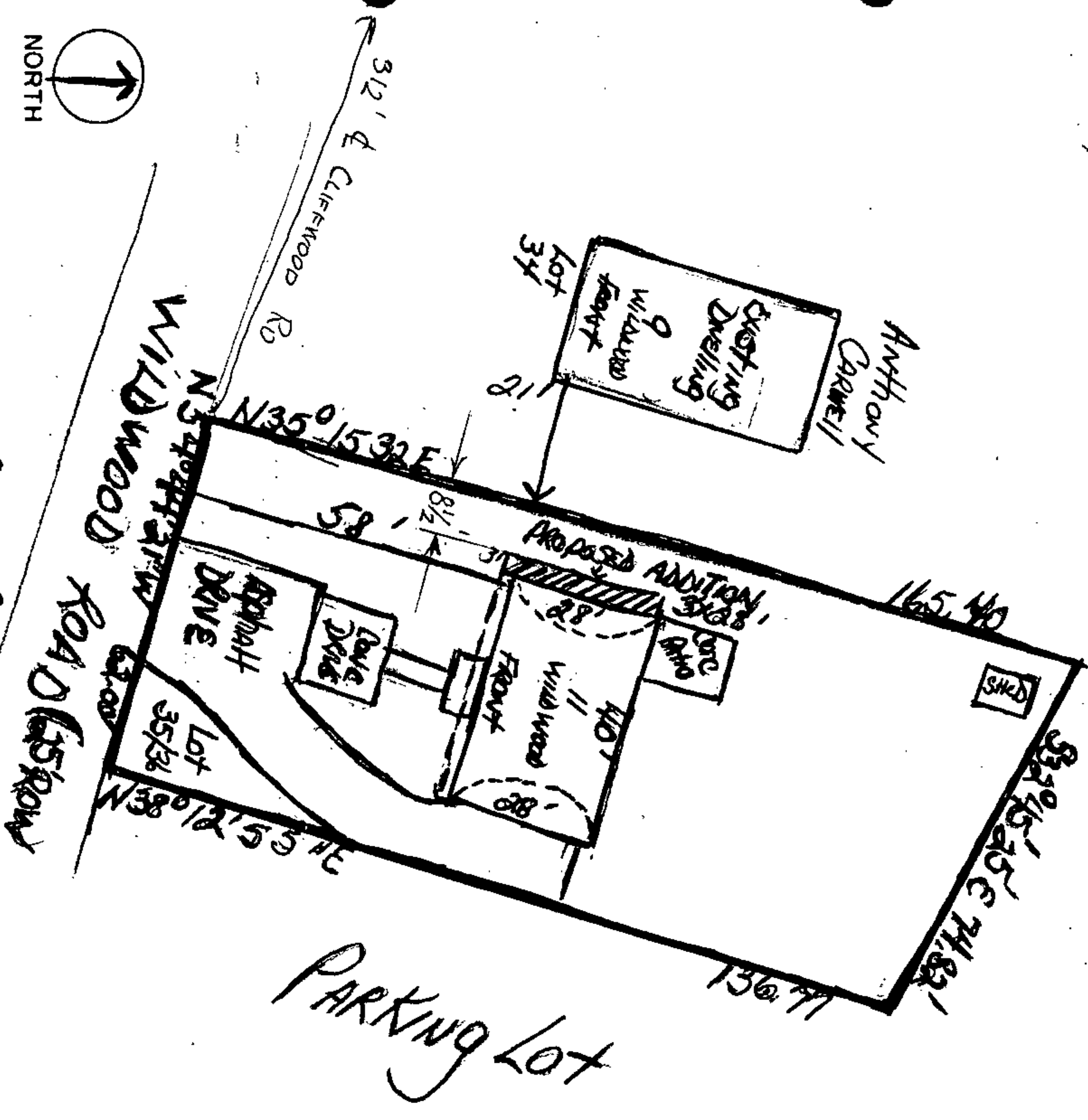
PROPERTY ADDRESS 11 Wildwood Road

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

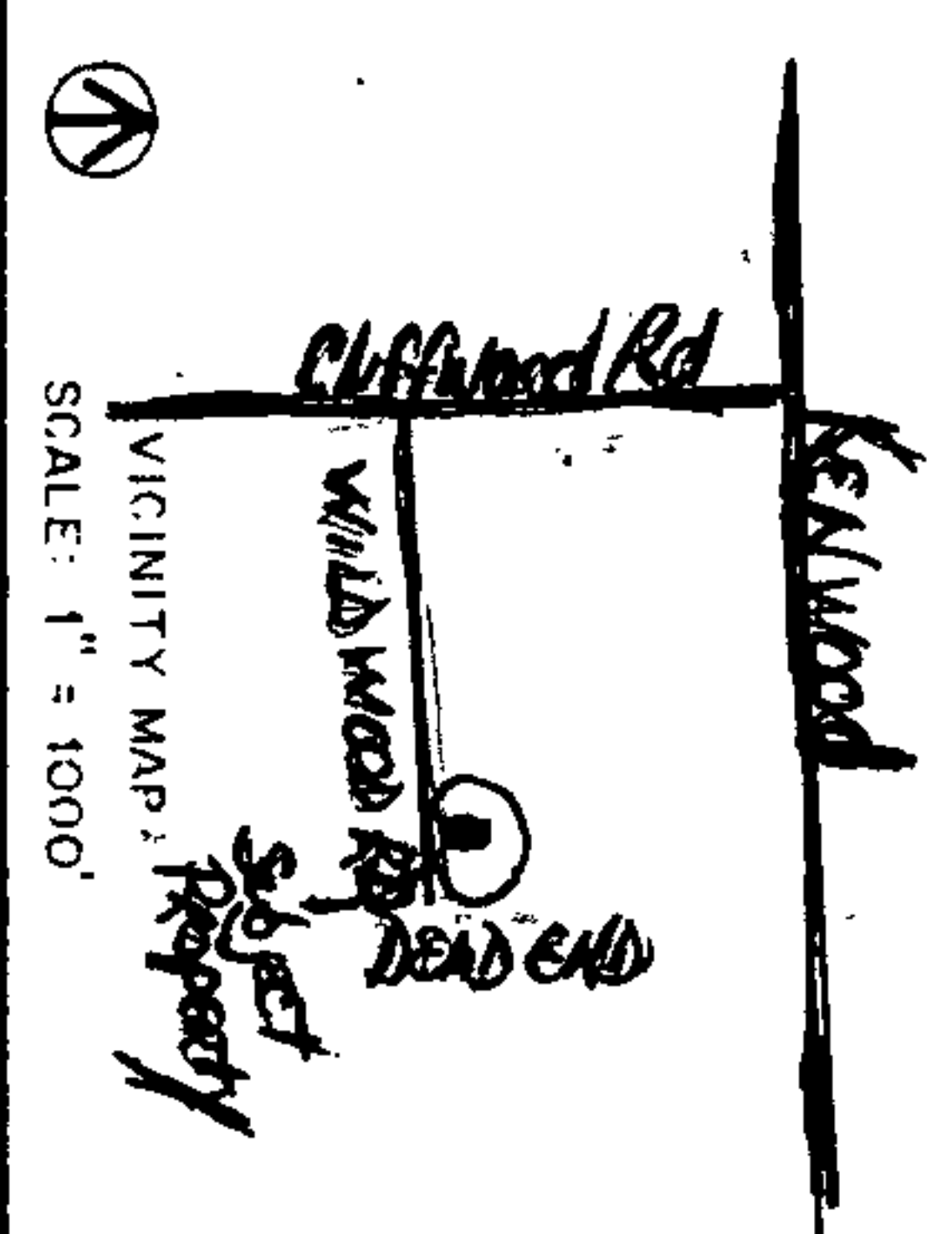
SUBDIVISION NAME Wildwood Road

PLAT BOOK # 8 FOLIO # 20 LOT # 34 SECTION # 1

OWNER Anthony Carmel



PREPARED BY Laurencey Rando Sinter SCALE OF DRAWING: 1" = 30'



SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 081B3

ZONING DR5.5

LOT SIZE 0.23 ACRES 10115.00 SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY / BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE # 07-374-A



