IN RE: PETITION FOR ADMIN. VARIANCE
NE side of Windsor Mill Road, 104 feet
NW of Richwood Avenue

2nd Election District
4th Councilmanic District
(7324 Windsor Mill Road)

Aaron Robinson
Petitioner

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* BALTIMORE COUNTY

CASE NO. 08-017-A

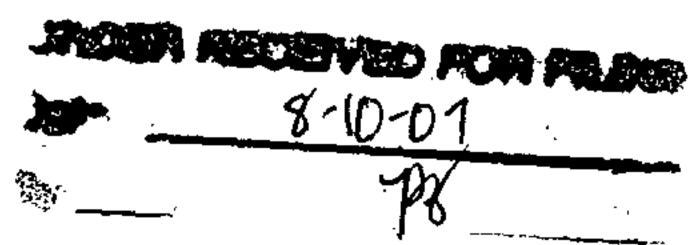
FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Aaron Robinson for property located at 7324 Windsor Mill Road. The variance request is from Sections 1B02.3.B. and 504 (Baltimore County Zoning Regulations Sections 1B01.2, C2a 1970 Zoning Regulations and Section V.B.5a 1970 Comprehensive Manual of Development Policies, Bill 100-1970) to permit a proposed addition (patio room) with a window to tract boundary setback of 8 feet in lieu of the minimum required 35 feet, and to amend the Final Development Plan for Richwind, Lot 2.

The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner proposes to construct a 10 foot x 12 foot patio room to be built on the existing 12 foot x 19 foot deck. This is the only location where the patio room can be constructed and utilize the existing door and deck. The property was granted prior zoning relief in Case No. 84-334-A on June 15, 1984. That variance granted a window to tract boundary setback on the west side of Lot 2 of 10 feet in lieu of the required 35 feet, and a side yard setback on the east side of the existing two apartment dwelling on Lot 1 of 7.7 feet more or less in lieu of the required 25 feet.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated July 27, 2007, which does not oppose the Petitioner's request. The comment further indicates



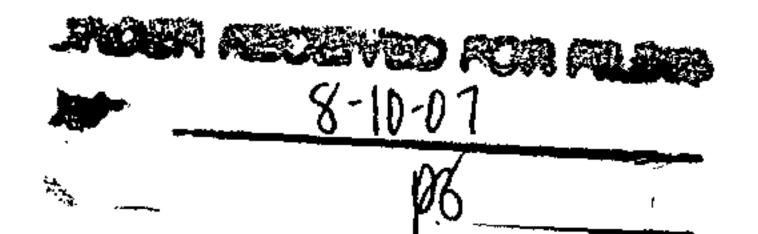
that there is an existing deck with an 8 foot side yard setback and the proposed patio room will have that same side yard setback. The side of the property to which the addition is being proposed abuts a heavily vegetated area, which keeps the addition out of the view of neighboring properties. Planning recommends that the height of the proposed patio room not exceed that of the existing home and any proposed building materials should compliment the existing structure.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 22, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has 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 10 4 day of August, 2007, that a variance from Sections 1B02.3.B. and 504 (Baltimore County Zoning Regulations Sections 1B01.2, C2a 1970 Zoning Regulations and Section V.B.5a 1970 Comprehensive Manual of Development Policies, Bill 100-1970) to permit a proposed addition (patio room) with a window to tract boundary setback of 8 feet in lieu of the minimum



required 35 feet, and to amend the Final Development Plan for Richwind, Lot 2 is hereby GRANTED, subject to the following:

- 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The height of the proposed patio room shall not exceed that of the existing home and any proposed building materials shall compliment the existing structure.

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

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 10, 2007

AARON ROBINSON 7324 WINDSOR MILL ROAD BALTIMORE MD 21244

> Re: Petition for Administrative Variance Case No. 08-017-A Property: 7324 Windsor Mill Road

Dear Mr. Robinson:

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,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Bob Whitmer, 7110 Golden Ring Road, Baltimore MD 21221

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	7324 Winds	or Mill Rd.	
	Baltimore	·MD.	21244
·	City	State	Zip Code
That based upon personal knowledge, the following the land of the above address (indicate hardshould like to build a patio room (10'x1')	ip or practical diffict	ilfV}:	e request for an Administrative
our existing 12'x19' deck on the side of o house. The problem is the width of our pro only 59.39 sf wide in the front, and 54.44	our operty is 4sf in	•	· •
the rear, there is a window to property list setback of a min of 15ft on the north east our lot. This leaves us with a side setback 8ft. Our neighbor (7322 Windsor Mill Rd)	t side of ck of lot# 1	-	
has a variance of 7' side setback. Therefo are asking for a variance of 8' in lieu of required 10'	f the	·	·
The se I place ou numb	ouse Wart w	e can buill a l	atio Room
Ther is a Evistian door + De	okat This b	Location	
Ther is a Existing door + Dei the Rear of The Louse Li	us No Est	door and the	MADAY S AMC
a. Bedroom & Bath		• •	- ·
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That the Affiant(s) acknowledge(s) that if a foodwertising fee and may be required to provide	ormal demand is fi additional information	led, Affiant(s) will be re	quired to pay a reposting an
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Aaron Robinson Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIL of Maryland, in and for the County aforesaid, per point The Affiant(s) herein, personally known or satisfied.	MORE, to wit: actorily identified to	ignature ame - Type or Print ———————————————————————————————————	ne, a Notary Public of the Sta



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

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	<u>-</u>	which is presently zo	ned	DR 5.5
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made a part hereof, hereby petition for 170 Zoning Regulations & Sectional With a Inimum required 35 feet, a	ion V.B.S.a, 1970 window to tra	CMDP; Bill 100-1970) to ct boundary setback of	o permit	a proposed n lieu of the
of the zoning regulations of Baltimore	and to amend t	the Final Development	resease indi	Kichwind,
of this petition form.	Codaty, to the zoning i	aw or bailinoie County, ion the i	COSONS NIMI	CAIGU,OH MIG DACK.
Property is to be posted and advertised in or we, agree to pay expenses of above regulations and restrictions of Baltimore Co	Variance, advertising, po-	sting, etc. and further agree to and	are to be bou	inded by the zoning
e de la companya de l	: -	I/We do solemnly declare and perjury, that I/we are the legal is the subject of this Petition.	affirm, under owner(s) of ti	the penalties of ne property which
Contract Purchaser/Lessee:		Legal Owner(s):		
Name - Type or Print		Name - Type of Print	1-7	
Signature		Signature		<u> </u>
Address	Telephone No.	Name - Type or Print		
City	Zip Code	Signature	<u></u>	<u> </u>
Attorney For Petitioner:		7324 Windsor Mill Address	•	Telephone No.
Name - Type or Print	<u></u>	Baltimore City	MD State	21244 Zip Code
Signature	er en er fan fan de fan en fan en fan en fan en fan fan fan fan fan fan fan fan fan fa	Representative to be C	ontacted:	
Company	<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>	Bob Whitmer	<u> </u>	
Address	Telephone No.	7110 Golden Ring R Address	oad	410-780-0062 Telephone No.
City 5 - State	Zip Code	Baltimore Cmy	MD State	21221 . Zip Code
A Public Hearing having been formally demithis day of regulations of Baltimore County and that the pro-	that the subject matter of t	required, it is ordered by the Zoning his petition be set for a public hearing,		

CASE NO. D8-017-A

Reviewed By JUP Date 7/9/07

Estimated Posting Date 7/9/07

Zoning Description for 7324 Windsor Mill Rd.

Beginning at a point on the north side of Mill Rd. which is 60 ft. wide at the distance of 104ft.

north west of the centerline of the nearest improved intersecting street Richwood Ave which is 50 ft. wide. *Being lot #2, in the subdivision of Richwind as recorded in the Baltimore county Plat Book #53, Folio #105, containing 7,211SF. Also known as 7324 Windsor Mill Rd. and located in the 2nd election district, 4th Councilmanic District.

D8-017-A

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CERTIFICATE OF POSTING

		RE: Case No.: OOO OIL
		Petitioner/Developer: AAROU
		ROBINSON
		Date of Hearing/Closing: 8-6-0
,	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:	
·,	posted conspicuously on the property located a 7324 WWDSOR	·····
	·	,
	The sign(s) were posted on	7-22-07
*	•	(Month, Day, Year)
		Sincerely,
1		(Signature of Sign Poster) (Date)
; ;	ZONING NOTICE	
). I	ADMINISTRATIVE	SSG Robert Black
	TO PERMIT A PROPERTY AT	(*************************************
	MADON TO THAT BOUNDS ADDITION (PRICE BERT) NOTE A MADON TO THAT BOUNDS SHIPMEN OF SHEET IN LINE OF THE Minimal Processes 35 FEET AND TO AMEND THE FIRM DISEASED. Then Fire Richards, Listen.	1508 Leslie Road
	PUBLIC HEARING?	(Address)
# # # # # # # # # # # # # # # # # # #	AN ELIGIBLE MOTVIDUAL OR GROUP MAY REQUEST A PUBLIC HEADING CONCERNING THE PROPOSED WRIANCE, PROJECT I	Dundalk, Maryland 21222
	PRODUCTION ALL INFORMATION AND EVILOPMENT MANAGEMENT AND COLUMN AND EVILOPMENT MANAGEMENT AND COLUMN AND TEL 227-3381	(City, State, Zip Code)
	Bearing in Sandy after 19 to 19 to 19 to	(410) 282-7940

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08-017 -A Address 7324 Windsor Mill Road.
Contact Person: Jeffrey Per(ow Phone Number: 410-887-3391
Filing Date: $\frac{7/9/07}{9/07}$ Posting Date: $\frac{7/22/07}{200}$ Closing Date: $\frac{8/6/07}{9/00}$
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.
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.
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 08- 017 -A Address 7324 Windson Mill Road
Petitioner's Name Aaron Robinson Telephone 410-281-9240
Posting Date: $\frac{7/2a/07}{}$ Closing Date: $\frac{8/6/07}{}$
Nording for Sign: To Permit a proposed addition (patio room) with a window to trace
Doundary setback of 8 feet in lieu of the minimum required 35 feet, and to amend the Final Development Plan for Richwind, Lot #2.
WCR - Revised 6/25/04

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 Advertising:	
Item Number or Case Number:	8-017-A
Petitioner: <u>Aaron Robinson</u>	
Address or Location: 7324 Winds	on M:11 RD
PLEASE FORWARD ADVERTISING BILL Name:	•
Address: 7110 Golden Ring 1	7 d
Address: 7/10 Golden Ring 12 Balto Md 212	z/
Telephone Number: 4/0 780-00	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 6, 2007

Aaron Robinson 7324 Windsor Mill Road Baltimore, MD 21244

Dear Mr. Robinson:

RE: Case Number: 08-017-A, 7324 Windsor Mill Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 9, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

WCR:amf

Enclosures

c: People's Counsel

Bob Whitmer 7110 Golden Ring Road Baltimore 21221

AV 8607

DATE: 07/27/07

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:

7324 Windsor Mill Road

INFORMATION:

Item Number:

08-017

Petitioner:

Mr. Aaron Robinson

Zoning:

DR5.5

Requested Action: Petition for Variance to the Zoning Commissioner of Baltimore County 1B02.3B, and 504 (BCZR Section 1B01.2, C2a 1970 Zoning Regulations & Section V.B 5a, 1970 CMDP, Bill 100-1970) to permit an addition (patio room) with a window to tract boundary setback of 8 feet in lieu of the minimum required 35 feet and to amend the final development plan for Richwind, lot #2.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. There is an existing deck with an 8-foot side yard setback and the proposed patio room will have that same side yard setback. The side of the property to which the addition is being proposed abuts a heavily vegetated area, which keeps the addition out of the view of neighboring properties.

However, the Office of Planning does feel that the following recommendation must be met:

The height of the proposed patio room should not exceed that of the existing home and any proposed building materials should compliment the existing structure.

Prepared by:

Division Chief: AFK/LL: CM

W:\DEVREV\ZAC\8-017.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 18, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor White Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 20, 2007

Item Nos. 07-470, 08-001, 002, 003, 004, 005, 006, 007, 008, 009, 011, 012, 013, 014, 015, 016/017) 018 and 019

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS-07202007.doc



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

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

Maryland Department of Transportation

Date: Juny 16, 2007

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

RE: E

Baltimore County

Item No. 8-17-A

ROBINSON PROPERTY

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. 8-17-4.

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,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

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

July 17, 2007

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

, ATTENTION: Zoning Review planners

Distribution Meeting of: July 16, 2007

Item No.: 001, 003, 004, 007, 008, 009, 010, 011, 012, 013, 014, 016, (017), 018, 019

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

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.

Acting Lieutenant William F. Connolly Jr. Fire Marshal's Office (0)410-887-4881 (C)443-829-29 MS-1102F

cc: File



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

PETITION FOR ZONING VICALANCE 94-334-4

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal conser(s) of the property situate in Baltimore County and which is described in the description and plat stached hereto and made a part hereof, hereby petition for a Variance from Section 1 BO1. 2. C. 2. a. To Permit a Window to Tract Boundary Setback of 10t instead of the required 35t and a side yard setback of 7 ft. in lieu of the required 25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate bardship or practical difficulty)
The required 35' Window to Tract Boundary setback line for Lot #2
Would eliminate the development of Lot #2 altogether. Any dwelling proposed for this lot with the 35' setback restriction would end up to be no wider than approximately 12'-14' in width. Existing 3 apt. house to be converted to 2 apts.

Property is to be posted and advortised as prescribed by Zoning Regulatio

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of thi petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

	which is the subject of this Petition.
Antract Purchaser:	
(Type or Print Name)	` <u>=</u> •
Significant	Signature K Y CE 4 Mary
Action	CType or Print Name)
City and State	Signature
ttories for Petitioner:	
(Syle or Print Name)	1917 Hillside Dr. 944-7330 01
	Baltimore, M. 21207
Y Signature	
B	Name, address and phone number of legal owner, con-
Address	-
City and State	Name
Attorney's Telephone No.:	Address Phage No.
ORDERED By The Zoning Commissioner of B	Baltimore County, this17th day
April 1984 that the strequired by the Zoning Law of Baltimore County, in out Caltimore County, that property be rosted, and Commissioner of Baltimore County in on 106,	subject matter of this polition be advertised, as in two newspapers of general circulation turbughd that the public hearing be had before the Zoning 8, County Office Building in Towson, Baltimore
County, on the 29th day of	May 19.84 at 10:30 o'clock
Aм.	

08-017-A

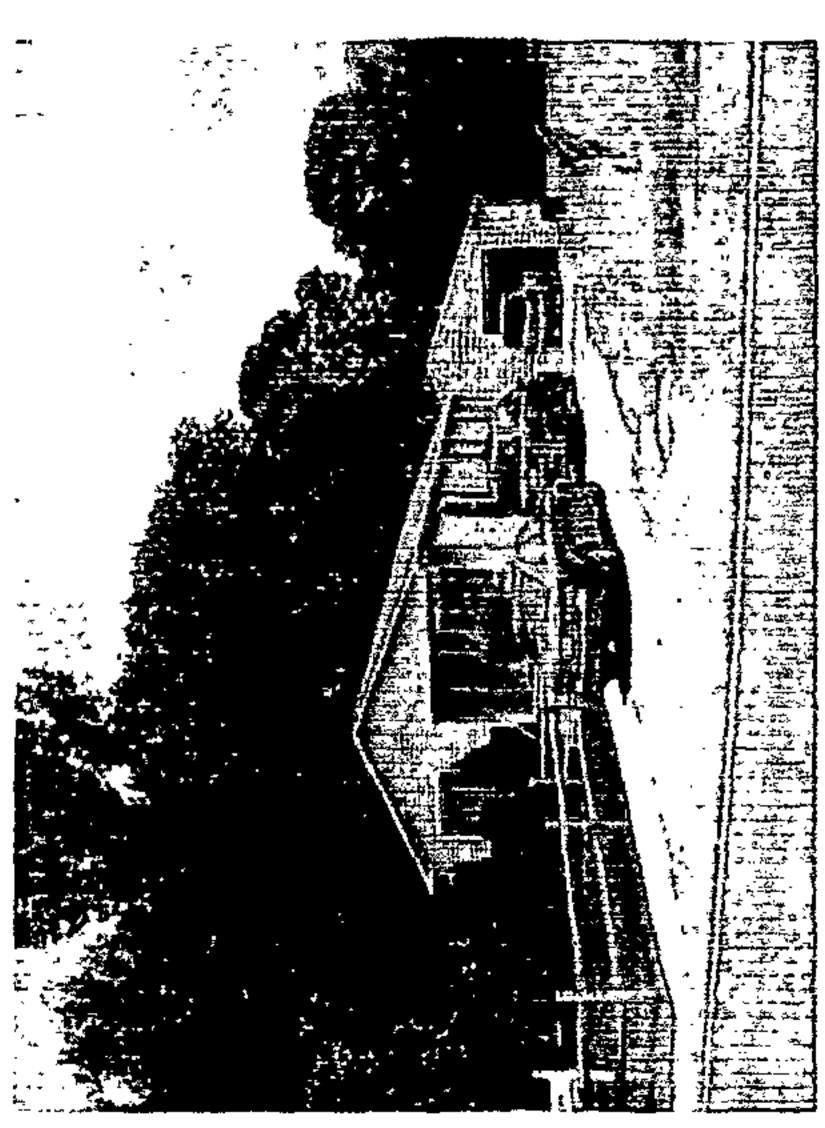
Zoning Commissioner of Baltimore County.

appearing that strict compliance with the Baltimore County Zoning Regulations would/would xook result in practical difficulty and unreasonable hardship upon the Politioner(s) and the granting of ariance(s) requested wilk/will not adversely affect the health, safety, and general welfare of sent, posting of property, and public hearing on the Petition and it

ORDERED by the Zoning Commissioner of Baltimore County, this D, from and after eet and a side yard setback on the east on the west side of Lot 2 of 10 , that the herein Petition for Tariance(s) to permit accordance with the 30, the date of this Order, 1984, and marked Petitioner' a window

- tor T b. arranged vehicles
- head-in n Lot 1. parking spaces shall be
- site plan shall by the Office of be submitted and Planning and

08-017-A

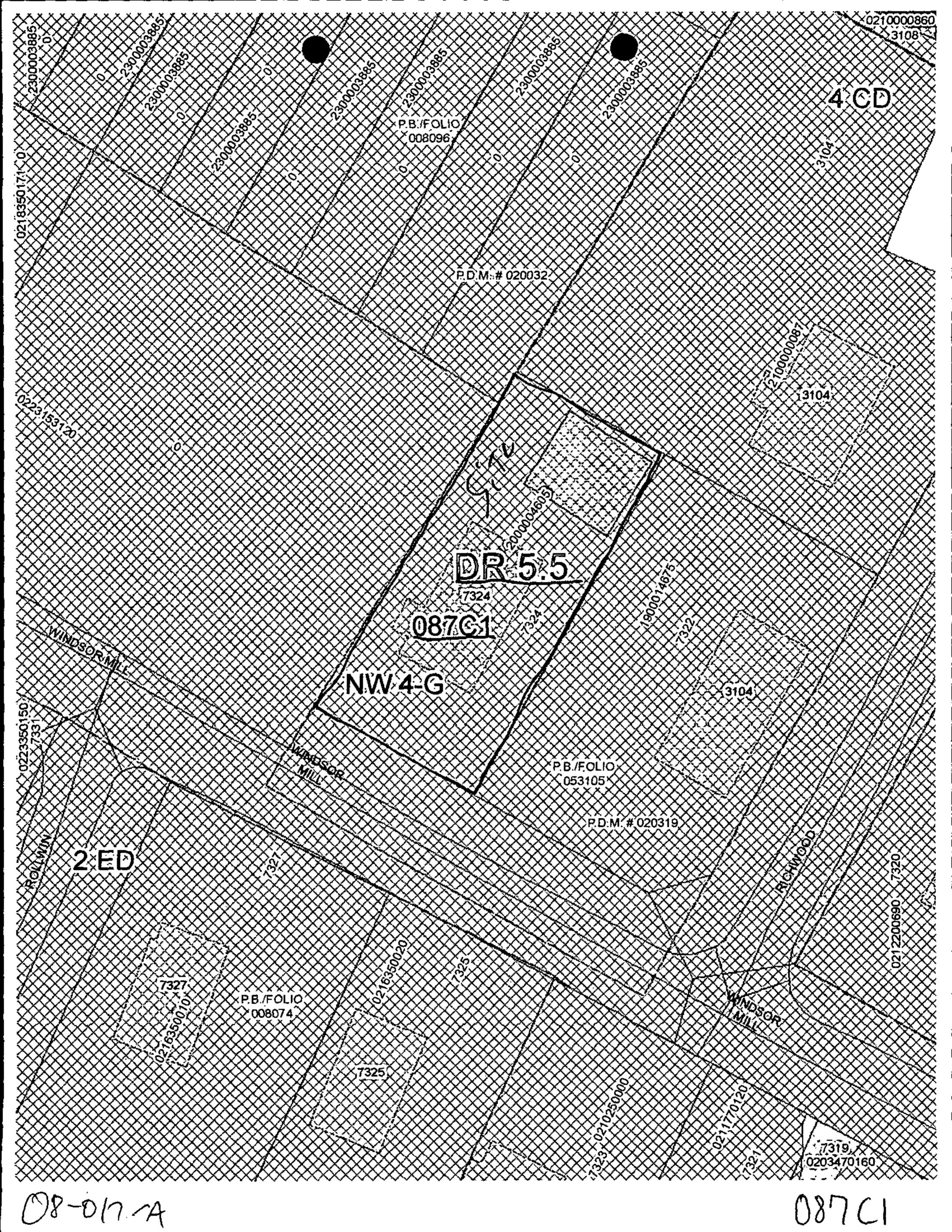


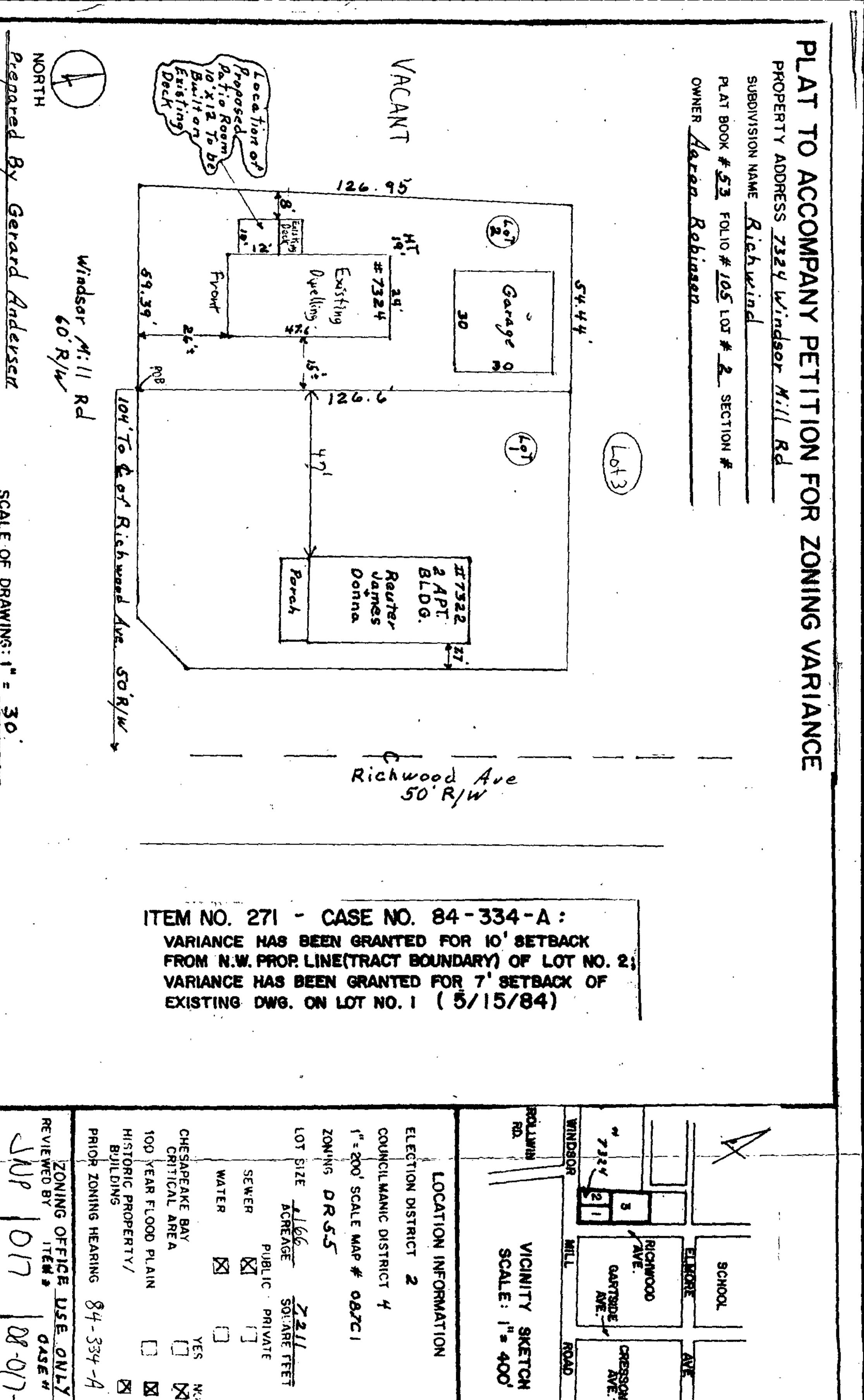
veiw of 7324 Windsor Mill Rd.



Location of proposed sunroom on existing dec on side of house







\$

Prepared

Andersen

SCALE OF

DRAWING:

X

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⊠₹