

IN RE: PETITION FOR ADMIN. VARIANCE
W side Greencove Circle, 260 feet S of
c/l Periwinkle Court
15th Election District
7th Councilmanic District
(4714 Greencove Circle)

Martin and Deneen Ziegler
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
*
* CASE NO. 08-019-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, Martin and Deneen Ziegler for property located at 4714 Greencove Circle. The variance request is from Sections 1B02.3.A.1 and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 27 foot rear setback in lieu of the required 30 feet and to amend the latest Final Development Plan for Beachwood Estates, Lot 417. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a 12 foot x 22 foot sunroom on the rear of the two-story frame dwelling. There is an existing deck and door at this location. The existing deck measures 12 feet x 14 feet in size. A new section will be added that measures 15 feet x 12 feet. This will provide a 7 foot x 12 foot open deck and the 12 foot x 22 foot sunroom, which is the subject of the instant Petition. The lot is 100 feet deep with a 25 foot front yard setback. The house is set back 26 feet and the house is 35.5 feet deep, and there will be 27 feet between the patio room the rear property line.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: Comments were received from the Office of Planning dated July 25, 2007, which does not oppose the Petitioner's request. The comment further

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8-14-07

YPS

indicates that the building elevations of the proposed sunroom, which shows the relationship of the existing structure to the new addition, should be submitted to the Office of Planning for review and approval prior to the issuance of any building permits. Building materials shall be consistent with that of the existing dwelling.

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

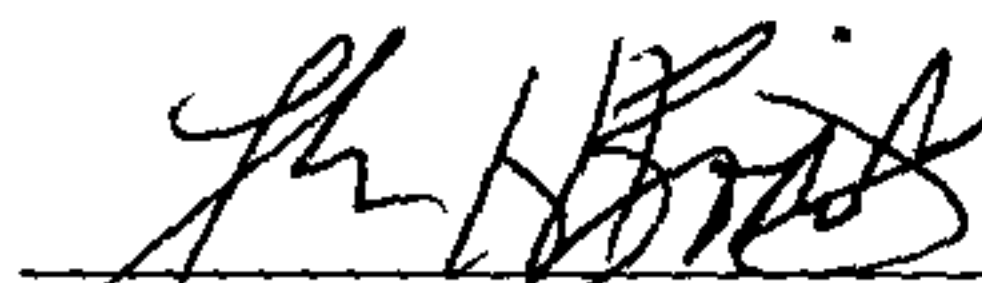
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 14th day of August, 2007 that a variance from Sections 1B02.3.A.1 and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 27 foot rear setback in lieu of the required 30 feet and to amend the latest Final

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8-14-07
[Signature]

Development Plan for Beachwood Estates, Lot 417 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.
2. Building elevations of the proposed sunroom, which shows the relationship of the existing structure to the new addition, shall be submitted to the Office of Planning for review and approval prior to the issuance of any building permits. Building materials shall be consistent with that of the existing dwelling.

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

FROM RECEIVED FOR FILES
8-14-07
pz



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 14, 2007

MARTIN AND DENEEN ZIEGLER
4714 GREENCOVE CIRCLE
BALTIMORE MD 21219

Re: Petition for Administrative Variance
Case No. 08-019-A
Property: 4714 Greencove Circle

Dear Mr. and Mrs. Ziegler:

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 dark ink, appearing to read "Th H Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4714 Greencove Circle.
which is presently zoned Dr 3.5

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) 1902.3A.1, 504.2 (BCZR) (CMDP)

TO PERMIT AN ADDITION (SUNROOM) WITH A 27-FOOT REAR SETBACK
IN LIEU OF THE REQUIRED 30-FEET AND TO AMEND THE
LATEST F.D.P. FOR "BEACHWOOD ESTATES", LOT 417.

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):

Martin Ziegler

Name - Type or Print

Signature

Deneen Ziegler

Name - Type or Print

Signature

4714 Greencove Cir.

(410) 477-4147

Address

Telephone No.

Baltimore

MD

21219

City

State

Zip Code

Representative to be Contacted:

Bob Whitmer

Name

7110 Golden Ring Road

410-780-0062

Address

Telephone No.

Baltimore

MD

21221

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 26 day of July, 2007, 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.

08-019-A

Reviewed By D.T.

Date 7/11/07

REV 10/25/01

Estimated Posting Date

7/22/07

FROM RECEIVED FOR FILED

8-14-07

YPS

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 4714 Greencove Circle
Address
Baltimore MD 21219
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):

We would like to build a patio room (12' x 22') on the rear of our house. There is an existing deck at this location and a door to our house. This is the only place we can build the patio room. Our problem is the size of our lot. With a 100ft deep lot and a front setback of 25ft (our house sets back 26ft) and a house with a 35.5ft depth we will only have 27ft from the patio room to the rear property line. So we are asking for a variance for a 27ft rear setback in lieu of the required 30ft. This patio room would give us more use than the open deck. It would offer more protection from weather and insects.

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.

Martin Ziegler
Signature
Martin Ziegler
Name - Type or Print

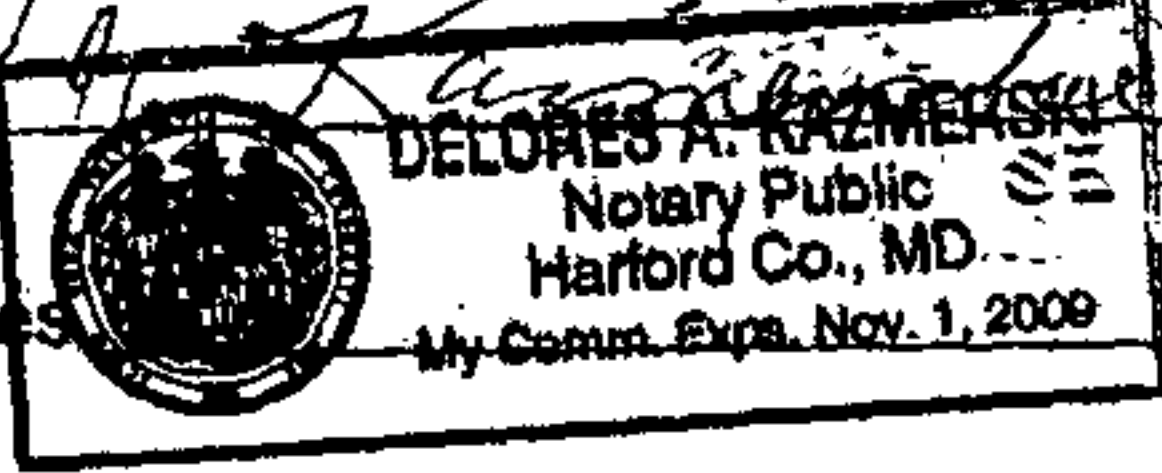
Deneen Ziegler
Signature
Deneen Ziegler
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1 day of July, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Martin & Deneen Ziegler
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Delores A. Kazmerski
Notary Public
My Commission Expires


Zoning Description for 4714 Greencove Circle.

Beginning at a point on the West side of Greencove Circle is 50 ft. wide at the distance of 260ft. South of the centerline of the nearest improved intersecting street Periwinkle Court which is 50 ft. wide. *Being lot #417, in the subdivision of Beachwood Estates as recorded in the Baltimore county Plat Book #71, Folio #98, containing 6,313SF. Also known as 4714 Greencove Circle. and located in the 15th election district, 7th Councilmanic District.

CERTIFICATE OF POSTING

RE: Case No.: 08-019-A

Petitioner/Developer: ZIEGLER

Date of Hearing/Closing: 8-6-07

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:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

4714 GREENCOVE CIRCLE

The sign(s) were posted on 7-22-07
(Month, Day, Year)

Sincerely,

Robert Black 7-23-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

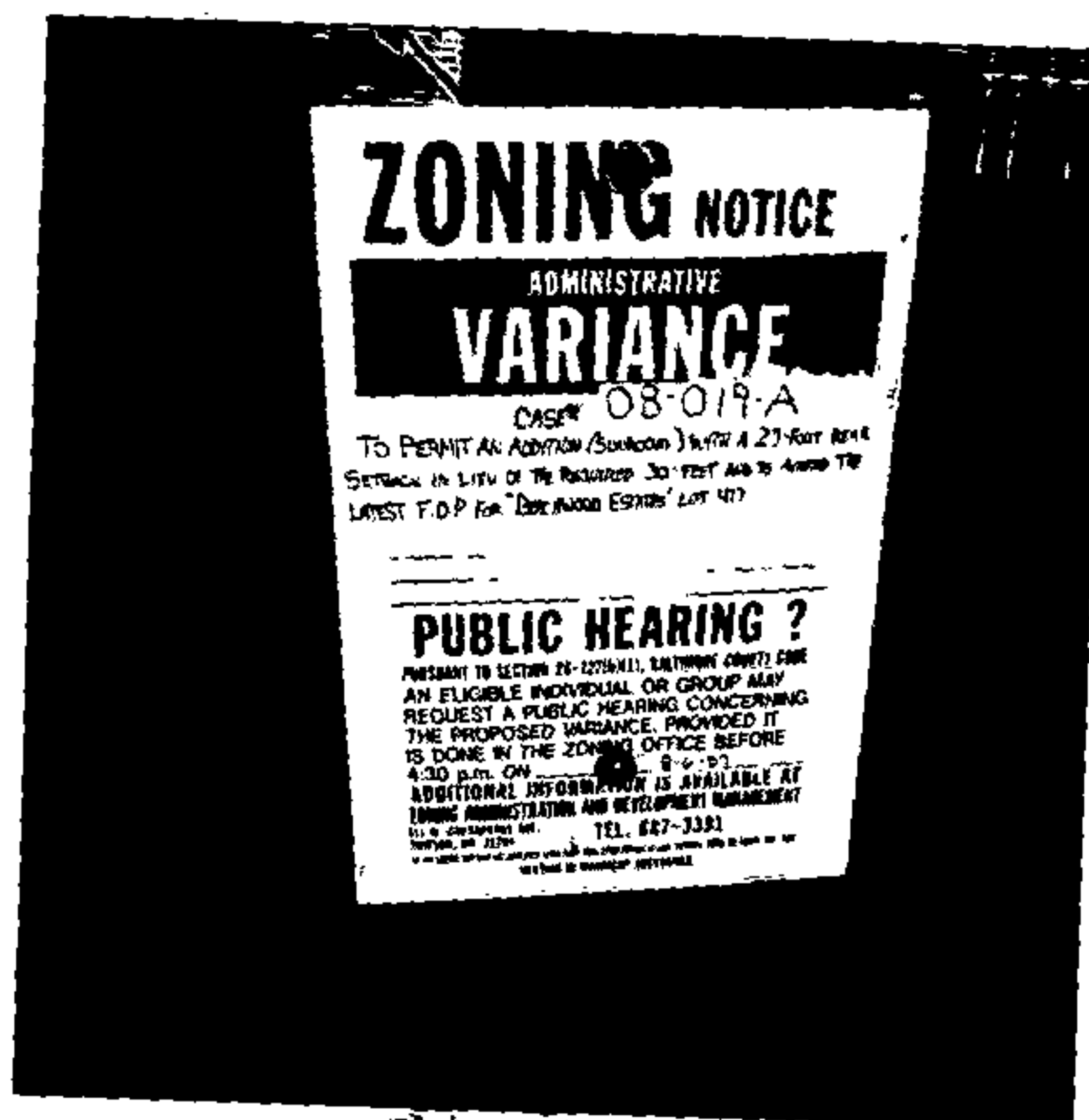
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ⁰⁸~~07~~- 019 -A Address 4714 GREENCOVE CIRCLE

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/11/07 Posting Date: 7/22/07 Closing Date: 8/6/07

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 ⁰⁸~~07~~- 019 -A Address 4714 GREENCOVE CIRCLE

Petitioner's Name ZIEGLER Telephone 410-477-4147

Posting Date: 7/22/07 Closing Date: 8/6/07

Wording for Sign: To Permit AN ADDITION (SUNROOM) WITH A 27-FOOT REAR

SETBACK IN LIEU OF THE REQUIRED 30-FEET AND TO AMEND

THE LATEST F.D.P. FOR "BEACHWOOD ESTATES", LOT 417.

WCR - Revised 6/25/04

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: 08-019-A

Petitioner: Ziegler, Martin + Deneen

Address or Location: 4714 Green Cove Cir Balto MD 21219

PLEASE FORWARD ADVERTISING BILL TO:

Name: Champion

Address: 7110 Golden Ring Rd
Balto MD 21221

Telephone Number: 410 780-0062



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

August 6, 2007

Martin Ziegler
Deneen Ziegler
4714 Greencove Circle
Baltimore, MD 21219

Dear Mr. and Mrs. Ziegler:

RE: Case Number: 08-019-A, 4714 Greencove Circle

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 11, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Bob Whitmer 7110 Golden Ring Road Baltimore 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 25, 2007

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

SUBJECT: 4714 Greencove Circle

INFORMATION:

Item Number: 8-019

Petitioner: Mr. And Mrs. Mating and Deneen Ziegler

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

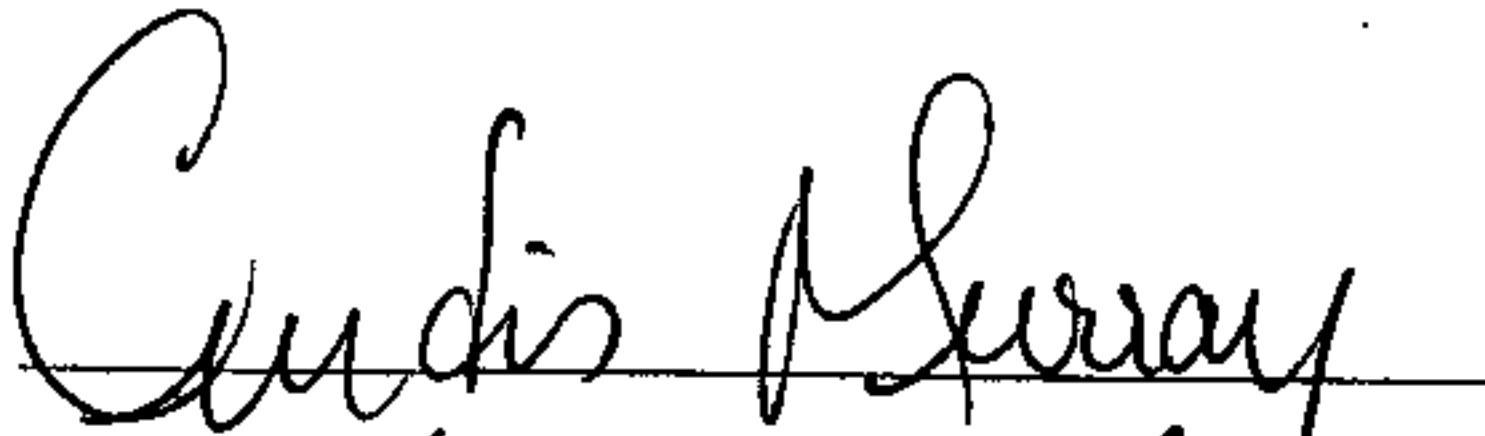
The Office of Planning has reviewed the petitioner's request and accompanying site plan and offers the following comment:

The Office of Planning does not oppose the petitioner's request to permit an addition (sunroom) with a 27-foot rear setback in lieu of the required 30 feet and to amend the FDP for "Beachwood Estates" provided:

Building elevations of the proposed sunroom, which shows the relationship of the existing structure to the new addition, are submitted to this office for review and approval prior to the issuance of any building permits. Building materials shall be consistent with that of the existing dwelling.

For further information concerning the matters stated here in, please contact Nkechi Hislop at 410-887-3480.

Reviewed by:



Division Chief:
AFK/LL: CM





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

State Highway
Administration

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

Maryland Department of Transportation

Date: JULY 16, 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. 8-19-A
4714 GREENCOVE CIRCLE
ZIEGLER 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. 8-19-A.

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 Steven D. Foster, Chief
For 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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 18, 2007

FROM: Dennis A. Kennedy, Supervisor *WCD/fw*
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

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
(O) 410-887-4881 (C) 443-829-29
MS-1102F

cc: File

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TB AV
8-6-07

order issued
8-14-07

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination *JWL*
DATE: September 13, 2007
SUBJECT: Zoning Item # 08-19-A
Address 4714 Greencove Circle
Ziegler property

Zoning Advisory Committee Meeting of July 16, 2007

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

- _____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This property is not in the CBCA.

Reviewer: Kevin Brittingham

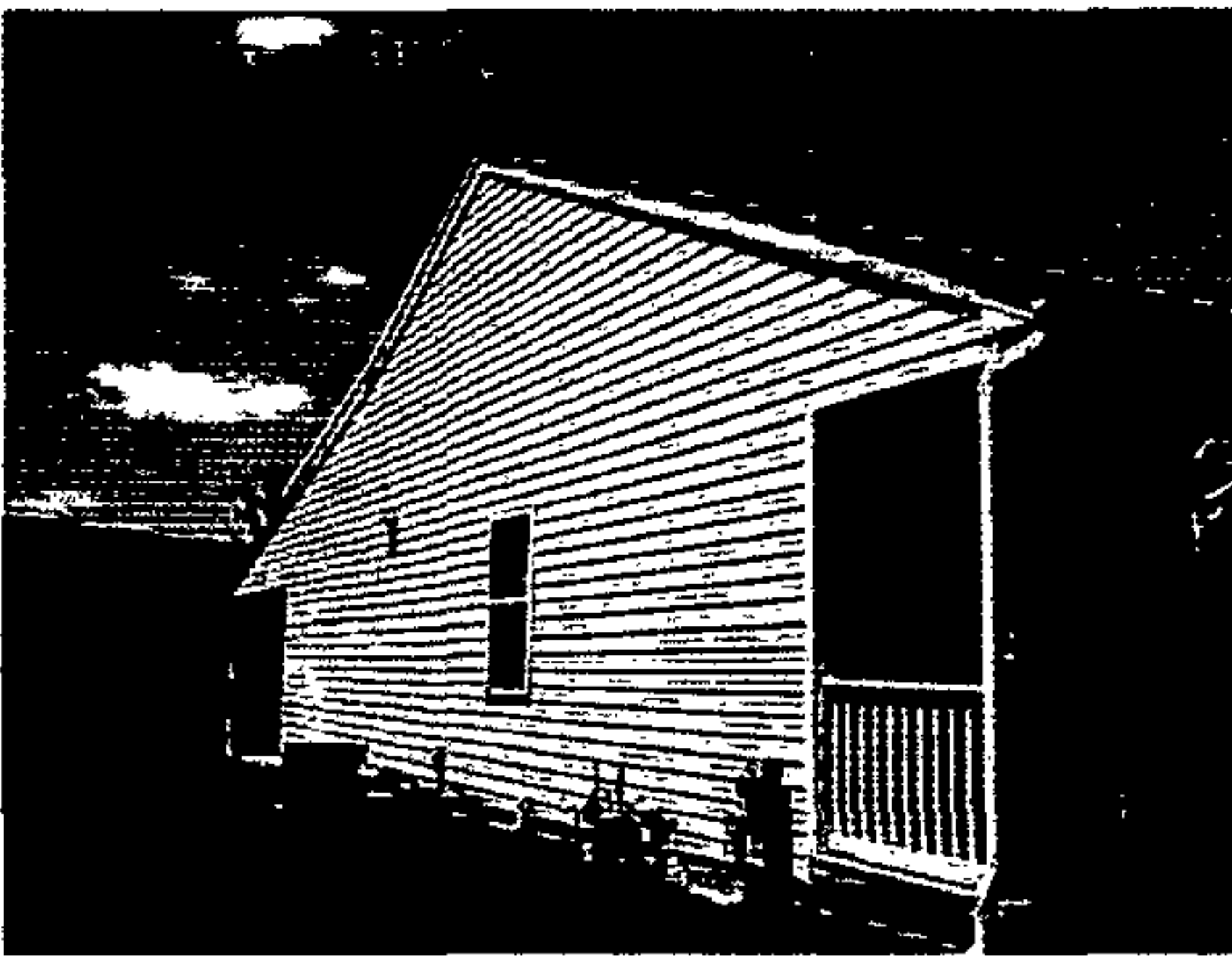
Date: 7/23/07



Side view of 4716 Greencove Cir.



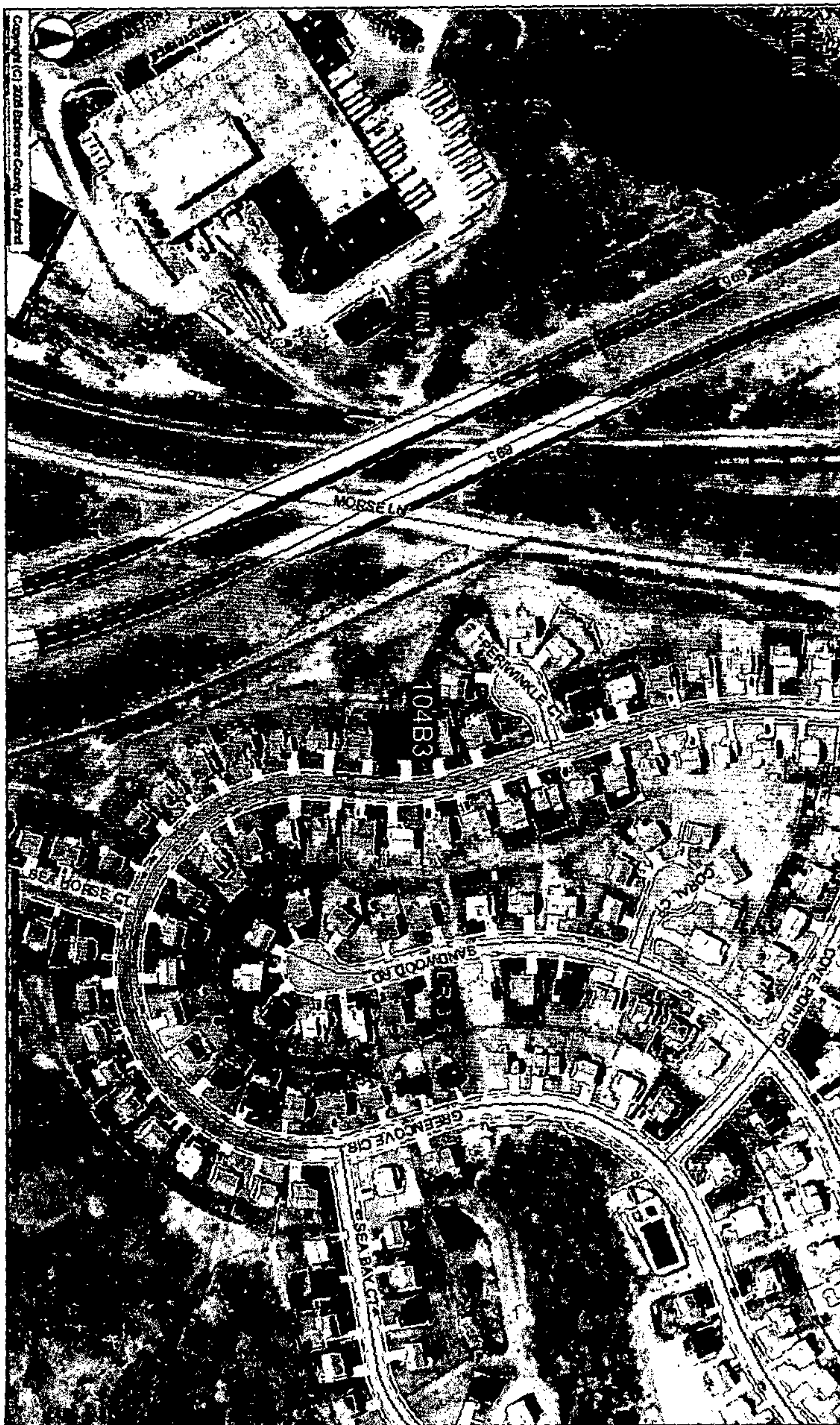
Location of proposed sunroom on the rear of house
Existing deck is 12'x14' we will be adding a new section 15'x12'. This will give us a 7'x12' open deck and the 12'x22' sun room



Side view of 4712 Greencove cir.



View of open area behind 4714 Greencove cir.



SANDWOOD

SANDWOOD

SE 5-H 104B3
15 ED 7 CD

DR 3:5

08-019-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

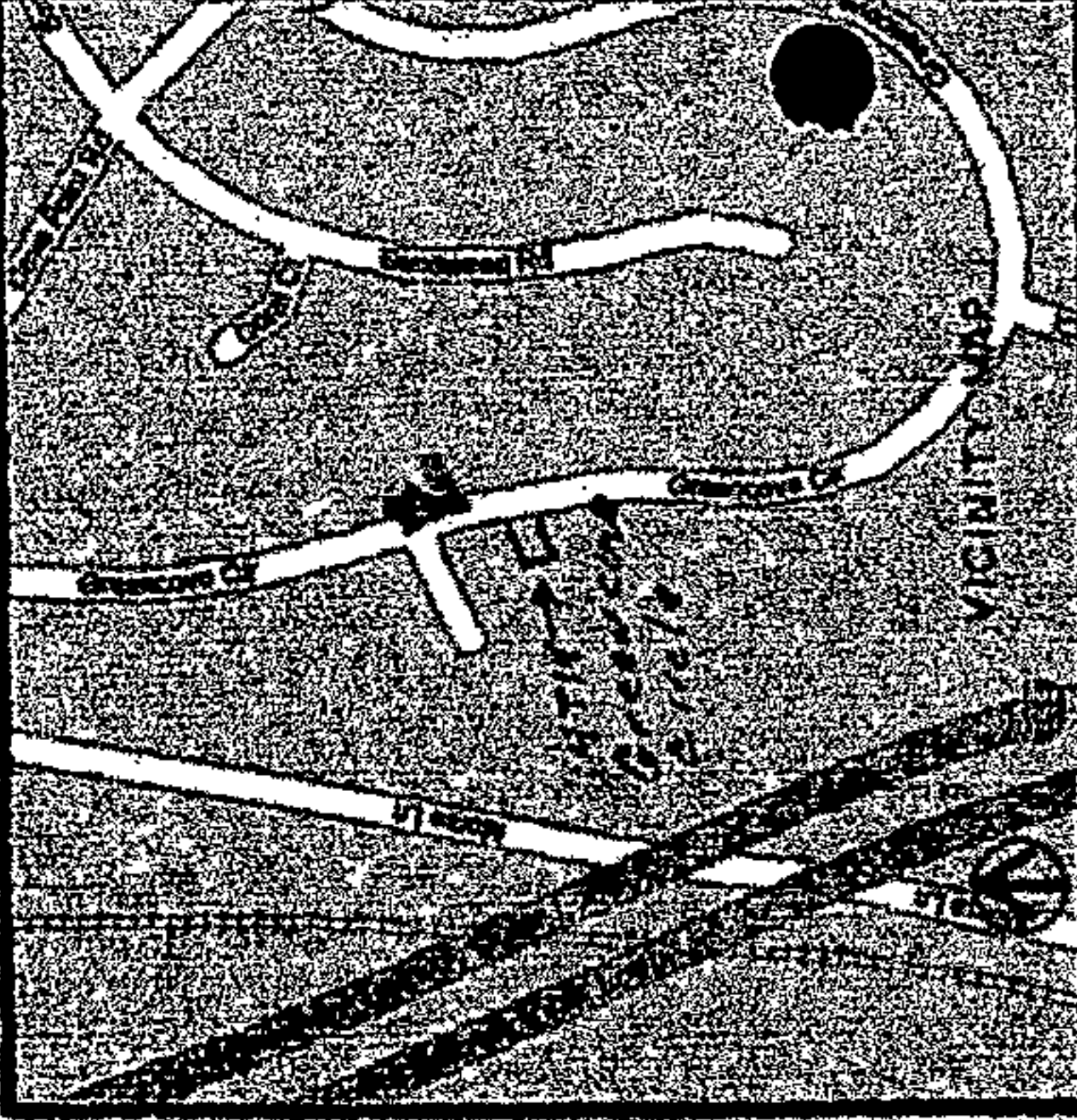
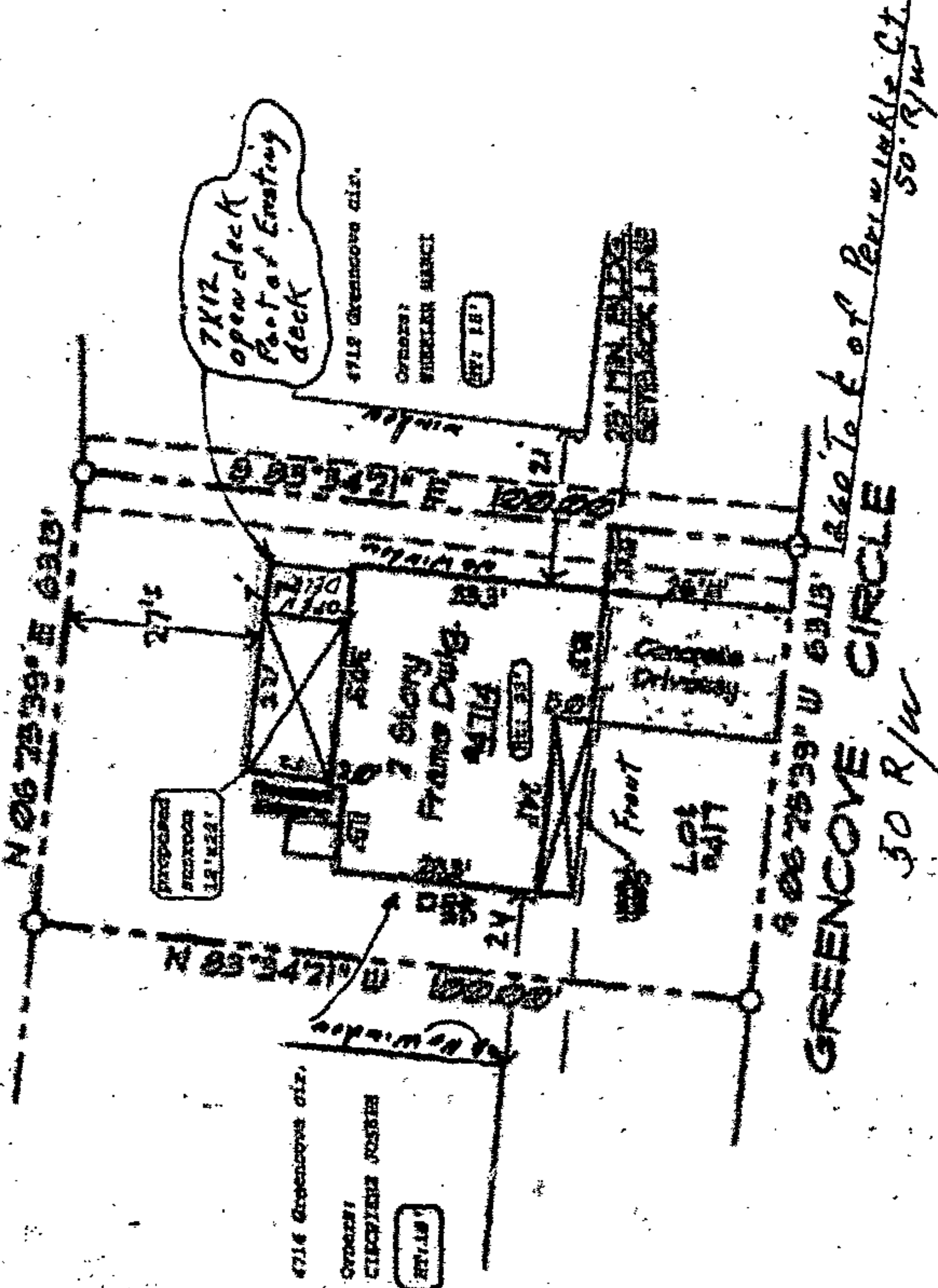
PROPERTY ADDRESS 4714 Greencove Circle

SUBDIVISION NAME Beachwood estates

PLAT BOOK # 71 FOLIO # 98 LOT # 417 SECTION # 1

OWNER Martin & Deneen Ziegler

Open Area



LOCATION INFORMATION

ELECTION DISTRICT 15th

COUNCILMANIC DISTRICT 7th

1" = 200' SCALE MAP # 104B3

ZONING DR 3.5

LOT SIZE .1449 ACRES 6,313 SF SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

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 #

PREPARED BY Gerard Andersen SCALE OF DRAWING: 1" = 30'

D.T. 019

08-019-A