

IN RE: PETITION FOR ADMIN. VARIANCE

SW corner of Selwin Court and
Treyburn Court
14th Election District
6th Councilmanic District
(8226 Selwin Court)

Bert and Virginia Wols
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 08-181-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, Bert and Virginia Wols for property located at 8226 Selwin Court. The variance request is from Sections 1B01.2.c.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (proposed sunroom and open deck) on rear of existing dwelling with rear setbacks of 21 feet and 20 feet in lieu of the required 30 feet and 22.5 feet respectively, and to amend the Final Development Plan of White Marsh Road Property for Lot #72 of Section 1 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a sunroom measuring 12 feet x 12 feet, a deck measuring 8 feet x 8 feet, and a 4 foot x 4 foot landing with steps to grade. The subject property is a corner lot and the house is set back 35 feet from the front property line and the required front yard setback is only 25 feet. The Petitioners are requesting variances of 2.5 feet and 9 feet to allow the sunroom and deck addition. There are a number of decks, screen porches and sunrooms in the development.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

SPIDER RECEIVED FOR FILED

11-15-07

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The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 28, 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 15th day of November, 2007 that a variance from Sections 1B01.2.c.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (proposed sunroom and open deck) on rear of existing dwelling with rear setbacks of 21 feet and 20 feet in lieu of the required 30 feet and 22.5 feet respectively, and to amend the Final Development Plan of White Marsh Road Property for Lot #72 of Section 1 only 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.

ORDER RECEIVED FOR FILING

11-15-07

m

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

ORDER RECEIVED FOR FILING

FILED 11-15-07

CLERK B3



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

November 15, 2007

BERT AND VIRGINIA WOLS
8226 SELWIN COURT
BALTIMORE MD 21237

Re: Petition for Administrative Variance
Case No. 08-181-A
Property: 8226 Selwin Court

Dear Mr. and Mrs. Wols:

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 "JH + TB", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Scott Bathurst, 1585 Sulphur Spring Road, Baltimore MD 21221



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8226 Selwin Court
which is presently zoned DR 5.5

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) BCZR 1B01.2C1.6 & 301.1

TO PERMIT AND ADDITION (PROPOSED SUNROOM AND OPEN DECK) ON REAR OF EXISTING DWELLING WITH REAR SETBACKS OF 21 FEET AND 20 FEET IN LIEU OF THE REQUIRED 30 FEET AND 22.5 FEET RESPECTIVELY, AND, TO AMEND THE FINAL DEVELOPMENT PLAN OF WHITE MARSH ROAD PROPERTY FOR LOT # 72 OF SECTION 1 ONLY.

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):

Bert Wols

Name - Type or Print

Signature

Virginia Wols

Name - Type or Print

Signature

8226 Selwin Court

(410) 245-1972

Address

Telephone No.

Baltimore

MD

21237

City

State

Zip Code

Representative to be Contacted:

Scott Bathurst

Name

1585 Sulphur Spring Rd

410-242-5970

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 11 day of November, 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.

CASE NO.

08-181-A

REV 10/25/01

Zoning Commissioner of Baltimore County

Reviewed By

A-TSM

Date

10/17/07

Estimated Posting Date

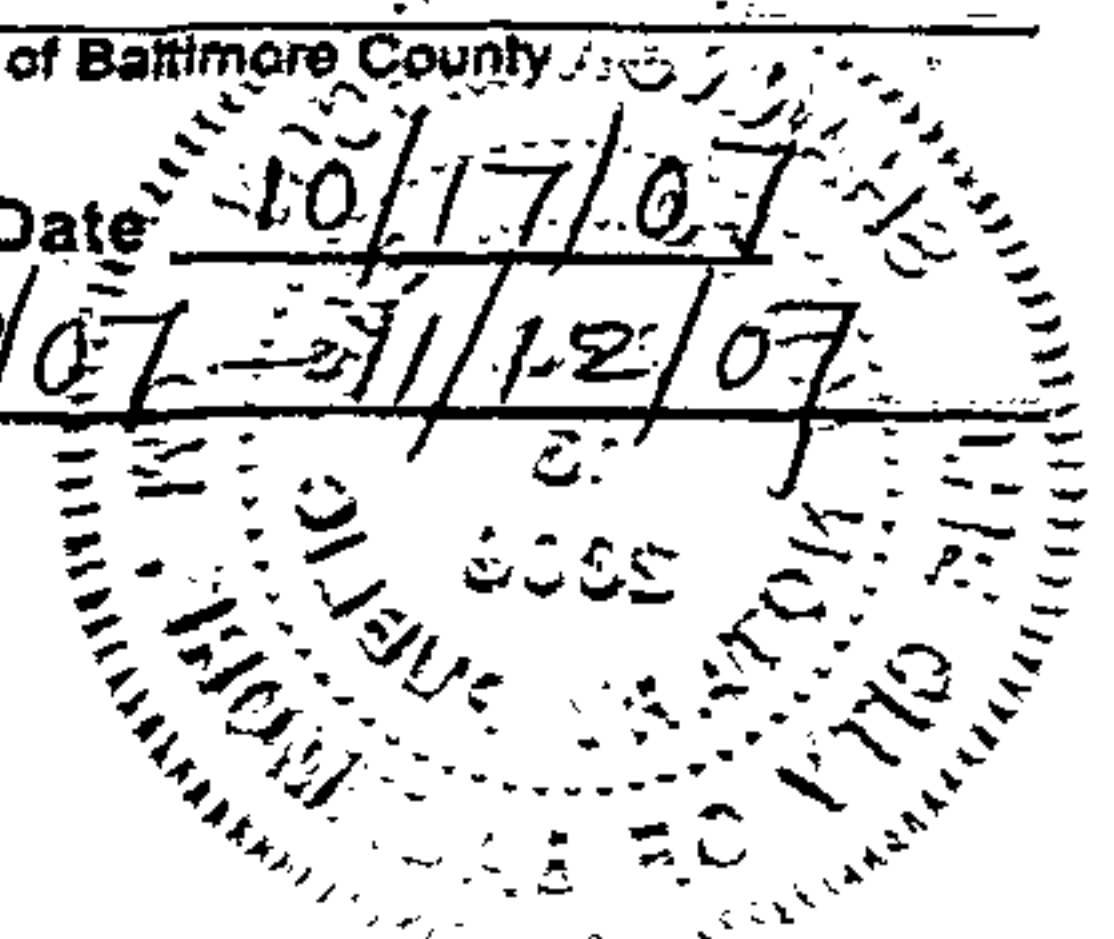
10/28/07

11/12/07

STAMP RECEIVED FOR FILING

11-15-07

B3



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 8226 Selwin Court
Address
Baltimore MD 21237
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 sunroom (12'x12') with a (8'x12') open deck on the rear of our home. The problem is we will not have the required rear setback of 30ft. And 22.5ft. The Sunroom will only be 21ft. And the open deck 20ft. From the rear property line. The cause of this problem is the placement of our home on our lot. We are location on a corner lot and the front of our house faces Selwin Court. Which we are required to have a 25ft. front setback. When our house actually is 35ft. From our front property line. The 10ft. Difference between where our house is located now to the required front setback would more then cover the distance we would need to reach our rear yard setbacks with our proposed sunroom and deck. Therefore We are asking for a rear yard setback of 21ft. (sunroom) and 20ft. (open deck) in lieu of the required 30ft. And 22.5ft. Respectively.

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.

[Signature]
Signature
Bert Wols
Name - Type or Print

Virginia Wols
Signature
Virginia Wols
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of September, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



[Signature]
Notary Public
My Commission Expires 12-13-08

Zoning Description for 8226 Selwin Ct.

Beginning at a point on the Corner of Selwin Ct. & Treyburn Ct. which both have are 50ft. wide *Being lot #72, Section 1, in the subdivision of White Marsh Road Properties as recorded in the Baltimore county Plat Book #71, Folio #123, containing 8,929.00 SF. Also known as 8226 Selwin Ct. and located in the 14th election district, 6th Councilmanic District.

08-181-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 181 -A Address 8226 SELWIN CT

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/17/2007 Posting Date: 10/28/07 Closing Date: 11/12/07

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- 181 -A Address 8226 SELWIN COURT
Petitioner's Name BERT WOLS Telephone 410-245-1972

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit AN ADDITION (PROPOSED SUNROOM AND OPEN DECK) ON REAR OF EXISTING DWELLING WITH REAR SETBACKS OF 21 FEET AND 20 FEET IN LIEU OF THE REQUIRED 30 FEET AND 22.5 FEET RESPECTIVELY, AND, TO AMEND THE FINAL DEVELOPMENT PLAN OF WHITE MARSH ROAD PROPERTY FOR LOT # 72 OF SECTION 1 ONLY.

CERTIFICATE OF POSTING

RE: Case No. 08-181-A

Petitioner/Developer: BERT

WOLS

Date of Hearing/Closing: 11-12-07

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:

8226 SELWIN CT

The sign(s) were posted on 10-28-07
(Month, Day, Year)

Sincerely,

Robert Black 10-30-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

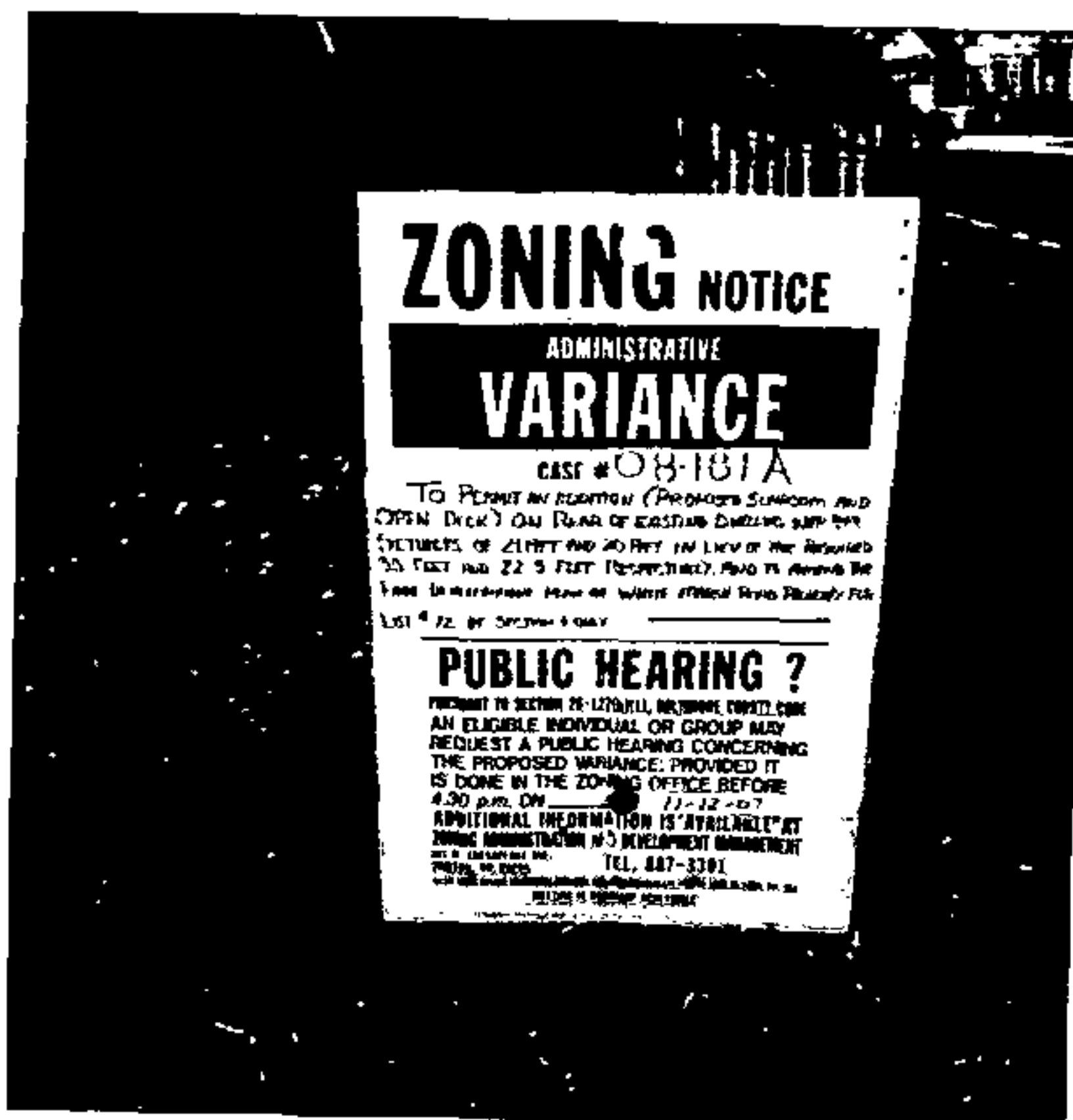
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



100

No.: 15389

Date:

1016

THE

WEEKLY

THE NEW YORK PUBLIC LIBRARY

— — — — —

100-443887-100

NOTES

Gaylord Family Day

Total: \$15.00

Rec
From: SCOTT BATHURST

For: 9226 Selwyn Ct. 21237

08-181-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

November 12, 2007

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

Mr. & Mrs. Bert Wols
8226 Selwin Court
Baltimore, Md. 21237

Dear Mr. & Mrs. Wols:

RE: Case Number: 08-181-A 8226 Selwin Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 17, 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 cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc
Enclosures
c: Peoples Council
Scott Bathurst 1585 Sulphur Spring Road Baltimore, MD 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 1, 2007

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-181

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:

R. Bruce Auley

Division Chief:

Lynn Lanham / RMB

rbs

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 29, 2007
Item Nos. 08-171, 172, 173, 174, 175, 176,
177, 178, 179, 180, 181, and 182

DATE: October 23, 2007

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-10232007.doc



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: OCTOBER 25, 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. 8-181-A
8226 SELWIN COURT
WOLF PROPERTY
ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

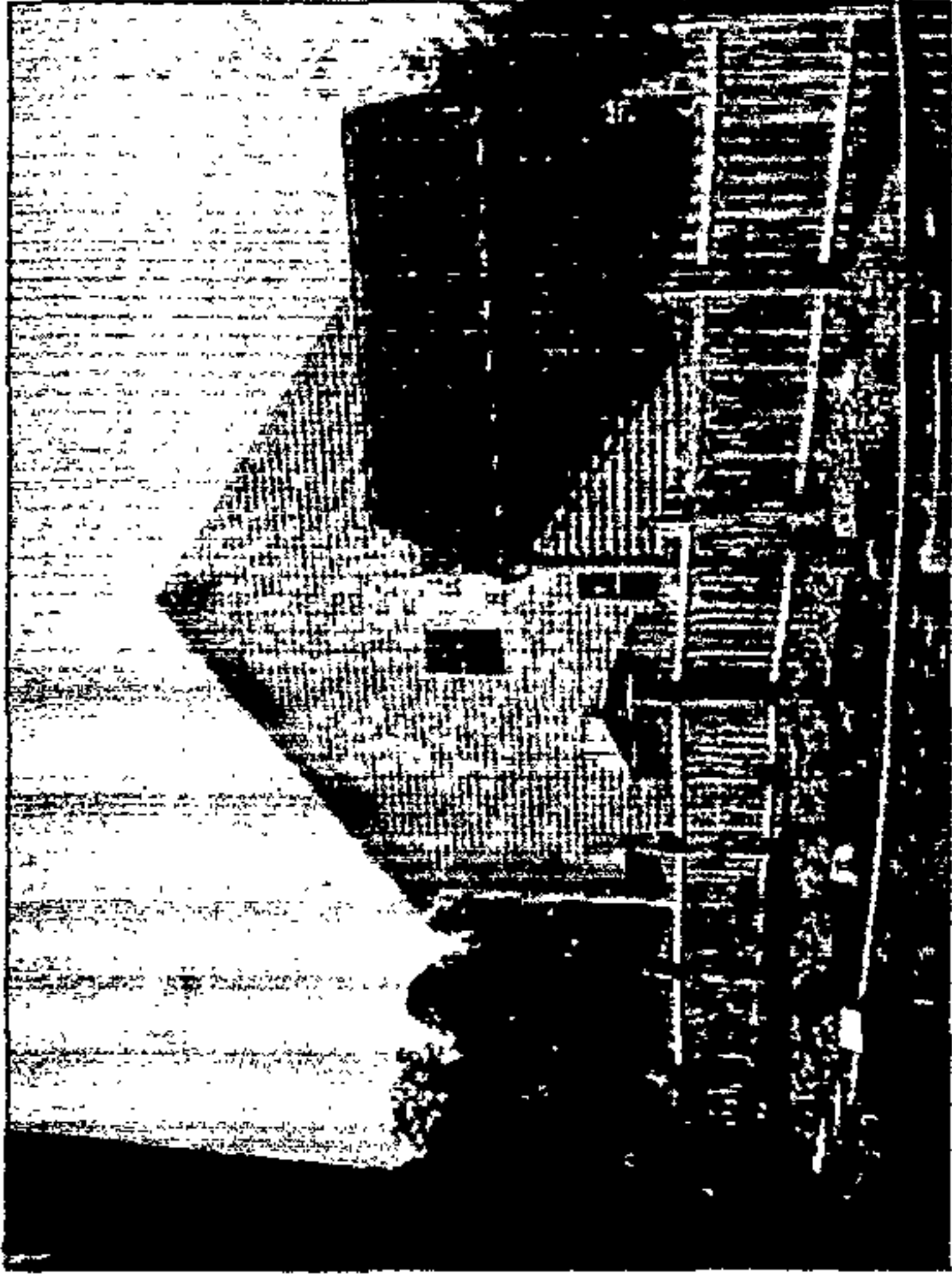
Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-181-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,

Foster
Steven D. Foster, Chief
Engineering Access Permits
Division

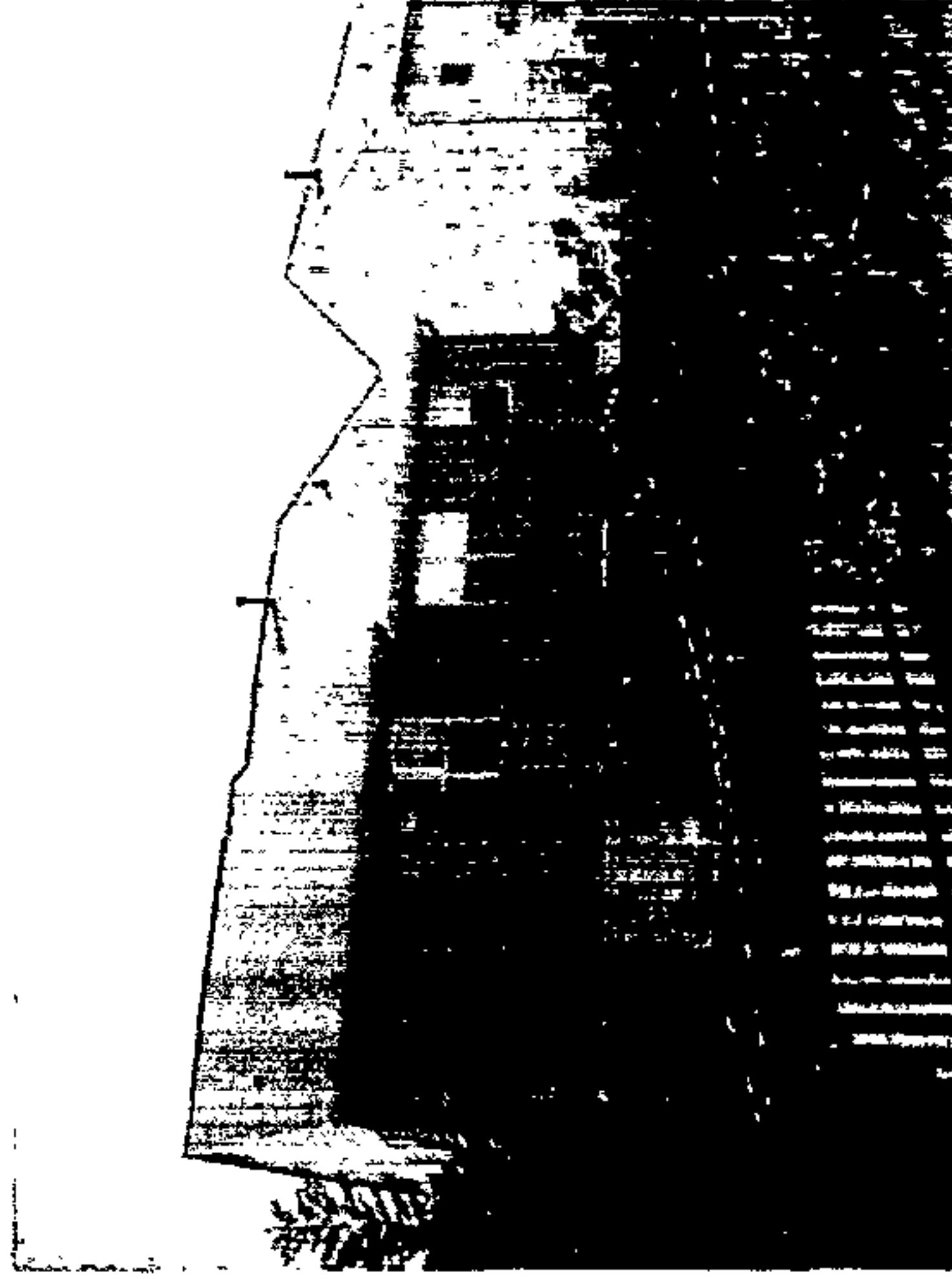
SDF/MB



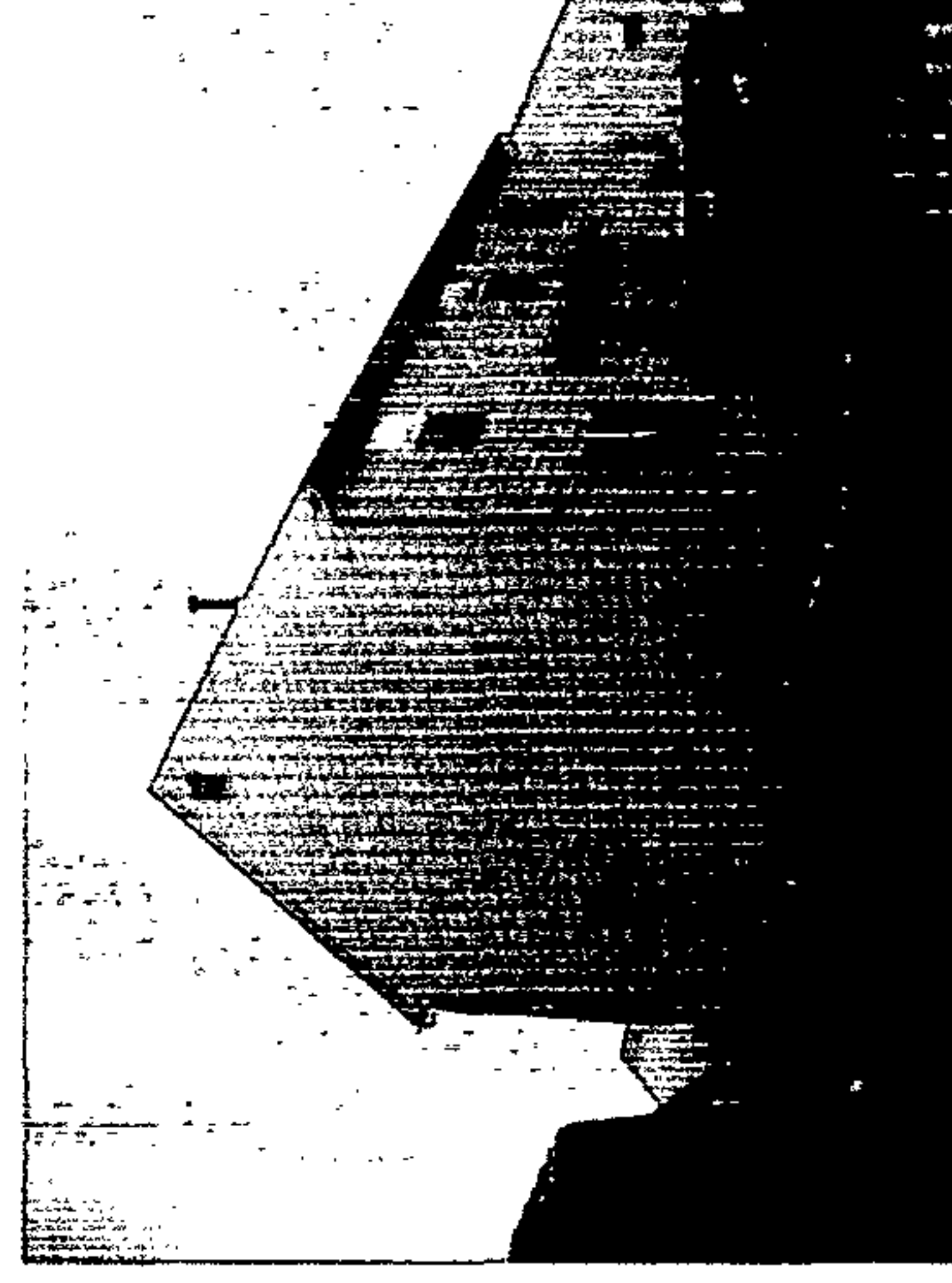
View of neighbor to the of our property
location at 3 Treyburn Ct



location of proposed sunroom on rear of
home



Rear view of house



view of neighboring house location at
8224 selwin ct.

08-181-A



08-181-A

08-18-A



08-18-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 8226 Selwin Ct.

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

SUBDIVISION NAME White Marsh Rd Property

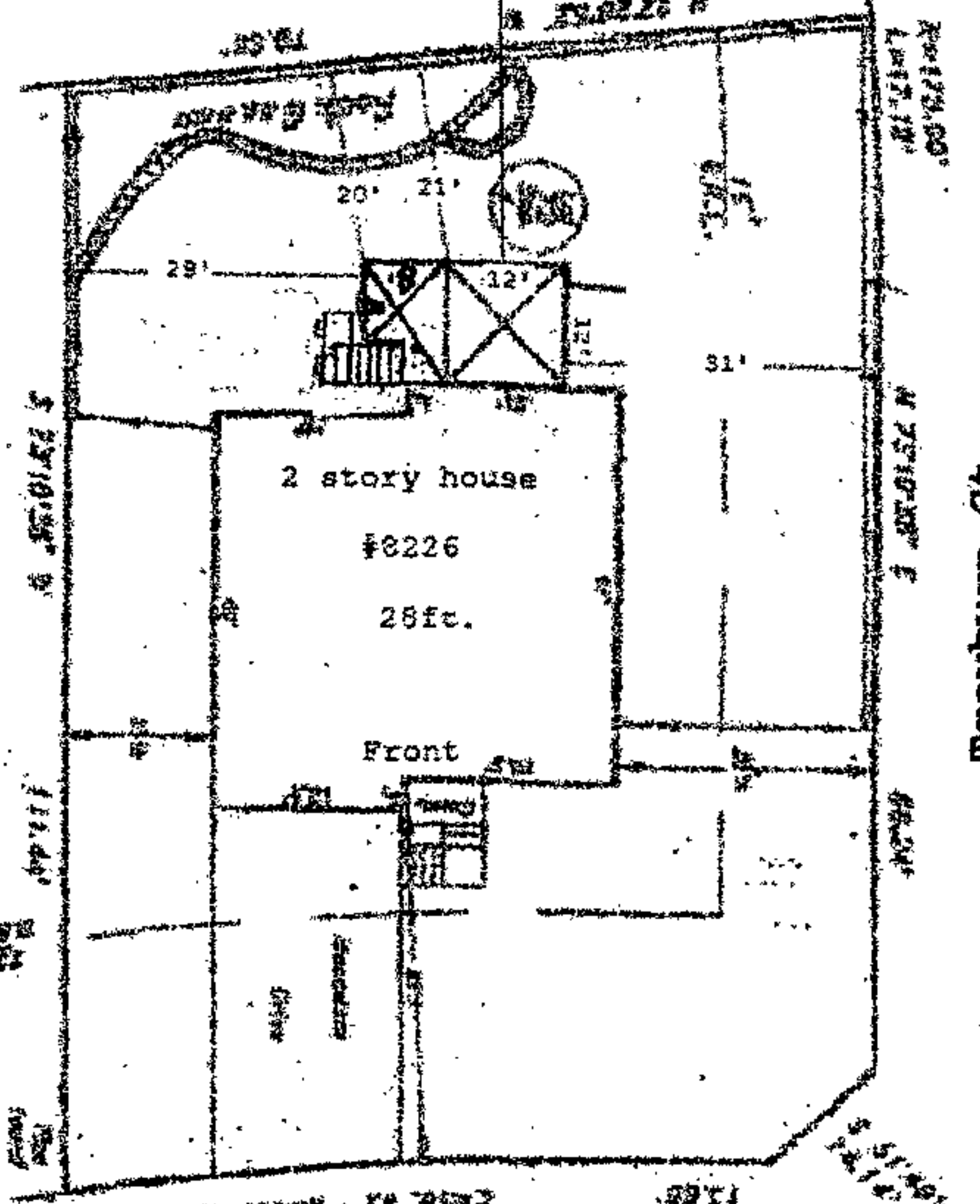
PLAT BOOK # 71 FOLIO # 123 LOT # 72 SECTION # 1

OWNER Wols, Bert & Virginia

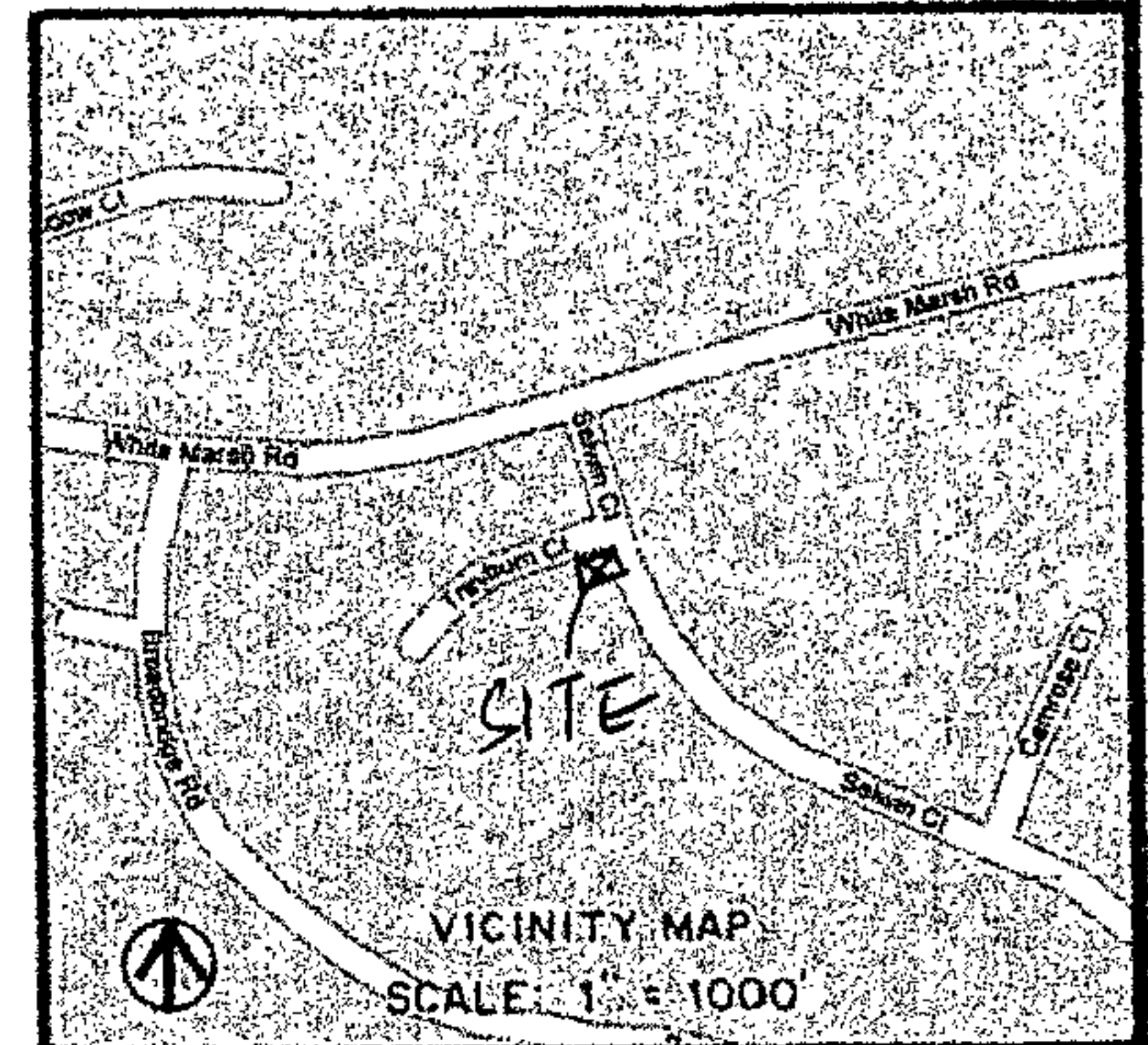
3 Treyburn Ct
Owner:
EIZARTE, EDWARD
Ht: 31ft.
No Windows

Location of proposed 12'x12' sunroom
w/ 8'x8' deck w/ 4'x4' landing with
steps to grade

8224 Selwin Ct
Owners:
MCCORMICK
CHRISTOPHER & MARY A
Ht: 30ft.



NORTH



LOCATION INFORMATION

ELECTION DISTRICT	14th	
COUNCILMANIC DISTRICT	6th	
1"=200' SCALE MAP #	082A1	
ZONING	Dr 5.5	
LOT SIZE	.205	8,929
	ACREAGE	SQUARE FEET
SEWER	☒ PUBLIC	☐ PRIVATE
WATER	☒ PUBLIC	☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA	☐ YES	☒ NO
100 YEAR FLOOD PLAIN	☐ YES	☒ NO
HISTORIC PROPERTY/ BUILDING	☐ YES	☒ NO
PRIOR ZONING HEARING	No	

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY Gerard Andersen

SCALE OF DRAWING: 1" = 30'

A. Tsui | 181 | 08-181-A