IN RE: PETITION FOR ADMIN. VARIANCE

SE side of Wickersham Way at Stonegate Court, 210 feet W of Greenside Drive 8th Election District 3rd Councilmanic District (212 Wickersham Way)

Jason R. and Anna M. Geisinger *Petitioners*

BEFORE THE

DEPUTY ZONING

* COMMISSIONER

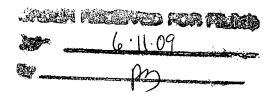
* FOR BALTIMORE COUNTY

* Case No. 2009-0294-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, Jason R. and Anna M. Geisinger for property located at 212 Wickersham Way. The variance request is from Section 1B02.3.B (1995 Regulations Section 211.4) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a addition (enclosing an existing screen room) to have a rear yard setback of 22 feet in lieu of the required 30 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners have an existing screen room measuring 10 feet x 13 feet 6 inches which they wish to enclose and make into an all-season room. The existing screen room was constructed prior to the Petitioners' purchasing the dwelling. Enclosing the screen room will provide necessary additional living room for the family. Petitioners submitted photographs depicting patio rooms in the neighborhood at 210 Wickersham Way, 214 Wickersham Way and 208 Wickersham Way. The property is irregular in shape and located on the curve of Wickersham Way and opposite Stonegate Court.

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.

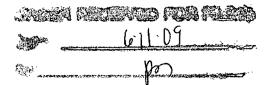


The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 24, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 Petitioners.

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.

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.

HOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

June 11, 2009

JASON R. AND ANNA M. GEISINGER 212 WICKERSHAM WAY BALTIMORE MD 21030

> Re: Petition for Variance Case No. 2009-0294-A

> > Property: 212 Wickersham Way

Dear Mr. and Mrs. Geisinger:

Enclosed please find the decision rendered in the above-captioned case.

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: Dave McMahon, 7110 Golden Ring Road, Baltimore MD 21221

Tax account# 0804076655



Letition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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owner(s) of the property situ	iate in Baltimor	e County ar	nd which	is described	in the description	on and plat	attached	hereto and
made a part hereof, hereby	pennon for a v	ariance from	n Section	(s) Section	n 1B02.	3.B (19	55 Regs	- Sec 211.
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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 p	iublic hearing is s	scheduled in the futu	re with regard the	reto.
That the Affiant(s) does/do presently reside at		ersham Way		and the same of th
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	Baltimor	e <u>M</u> Sta	D te	21030 Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the fac	ts upon which t/we t		
We would like to enclose room 10'x13'6" on the rear of our we can not meet the required set rear of our property. This is cau the lot. We are not located at the streets but we are located on the Wickersham Way. And still have to setback on the curved portion of leaving our property with just the this is a unusual situation. The constructed before we purchased of enclosing of our screen room will our two children to use the area pushing thru the screens. Also the rain from seeping thru and wetting therefore we are asking for a variety of the required 30ft	thome. The stack of 30f sed by the sintersection inside curbolic the 2 our propertimes sides. It is without feating the floor	problem is t to the shape of on of two ve of off front y line, We feel was The ssible for r of vent the	The section of the se	
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Jason Geisinger Name-Type or Print	ight .	Anna Gei Name Type or Print	singer,	<u> </u>
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STATE OF MARYLAND, COUNTY OF BALTIM	IORE, to wit:	1.000 m	efore me, a Nota	ry Public of the State
of Maryland, in and for the County aforesaid, per	rsohally appeare	d	Athensies of Education	
the Affiant(s) herein, personally known or satisfa	Charle identified	Ama as such Affian	nt/e)	
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AS WITNESS my hand and Notarial Seal

My Commission Expires

DELORES A. KAZMERSKI Notary Public Harford Co., MD

My Comm. Exps. Nov. 1, 2009

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 present	lly reside at

212 Wickersham Way

Address

Baltimore MD 21030
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 enclose our existing screen room 10'x13'6" on the rear of our home. The problem is we can not meet the required setback of 30ft to the rear of our property. This is caused by the shape of the lot. We are not located at the intersection of two streets but we are located on the inside curve of Wickersham Way. And still have to hold the 25ft front setback on the curved portion of our property line, leaving our property with just three sides. We feel this is a unusual situation. The screen room was constructed before we purchased our property. The enclosing of our screen room will make it possible for our two children to use the area without fear of pushing thru the screens. Also this will prevent the rain from seeping thru and wetting the floor. Therefore we are asking for a variance of 22ft in lieu of the required 30ft

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 De De

Jason Geisinger

Name - Type or Print

Signalufe

Anna Geisinger

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10 day of May of May of Maryland, in and for the County aforesaid, personally appeared

2009, before me, a Notary Public of the State

Jason + Anna Geisinge

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

DELORES A. KAZMERSKI

Harford Co., MD My Comm. Exps. Nov. 1, 2009

Tax account# 0804076655



Metition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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		which is presently zoned DR 5.5 (formerly 16-6)
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to permit a proposed ad	dition (enc	losing an existing screen room) to have tin lieu of the required 30
a rear yand setback c	of 22 fee	t in lieu of the required 30
of the zoning regulations of Baltimore Cou of this petition form.	unty, to the zoning	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as I, or we, agree to pay expenses of above Vari regulations and restrictions of Baltimore Count	ance, advertising, p	osting, etc. and further agree to and are to be bounded by the zoning
		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:	.8:	Legal Owner(s):
Name - Type or Print	The second secon	Jason Geisinger Name Type or Print
Signature	analanan yayaan ahka araa da d	Signature
Address	Telephone No.	Anna Geisinger Name - Type or Print
City State	Zip Code	Signature Alux
Attorney For Petitioner:		212 Wickersham Way (443)330-5404 Address Telephone No.
Name - Type or Print		Baltimore MD 21030 City State Zip Code
Signature		Representative to be Contacted:
<u> </u>		Dave McMahon
Company		Name 7110 Golden Ring Rd (410)780-0062
Address	Telephone No:	Address Telephone No.
City State	Zip Code	Baltimore MD 21221 City State Zip Code
A Public Hearing having been formally demands this day of that regulations of Baltimore County and that the property	it the subject matter of	be required, it is ordered by the Zoning Commissioner of Baltimore County, if this petition be set for a public hearing, advertised, as required by the zoning
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No. 1995	THE GRANT WAR WAR TO SEE	Zoning Commissioner of Baltimore County
CASE NO. 2009-0294-	A Re	eviewed By KID Date 5/13/09
REV 10/25/01	Es	stimated Posting Date 5/24/09
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Zoning Description for 212 Wickersham Way.

Beginning at a point on the south-east side of Wickersham Way. which is 50 ft. wide at the distance of 210 ft. West of the centerline of the nearest improved intersecting street Greenwood Drive which is 70ft. wide.

*Being lot #5, Block# C, in the subdivision of Ramsgate as recorded in the Baltimore county Plat Book #31, Folio #33, containing 14,159.00 SF. Also known as 212 Wickersham Way. and located in the 8th election district, 3rd Councilmanic District.

Item # 0294

	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE MISCELLANEOUS CASH RECEIPT			No. 39960 Date: 5/3/09			BUDINESS ACTUAL TIME NOW		
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		Jason & A	Ann Geisinger
		Date of Hearing/Closing	June 8 <u>,2009</u>
Baltimore County Department of Permits and Development Management			,
County Office Building, Room 111			
111 West Chesapeake Avenue Towson, Maryland 21204		₩*	
•			
Attn; Kristin Matthews,			
Ladies and Gentlemen:			
This letter is to certify under the penaltic posted conspicuously on the property loc 212 Wickersham Way			by law were
The sign(s) were posted on	May24,200 (Month, Da Sincerely	y, Year)	
		Robert Black	May26 2009
· .		(Signature of Sign Poster)	(Date)
	,	SSG Robert Black	
	-	(Print Name)	
		1508 Leslie Road	
		(Address)	
•		Dundalk, Maryland 212	22
		(City, State, Zip Code	e) .
		(410) 282-7940	
		(Telephone Number)	



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.

Item Number or Case Number: 2009-0294-A	
Petitioner: Geisinger, Jason & Anna	
Address or Location: 212 Wickersham Way	
PLEASE FORWARD ADVERTISING BILL TO: Name: Champion	
Address: 7110 Golden Ring Rd. Balto. Md. 21221	
Telephone Number: <u>4/0 780 0062</u>	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management
June 9, 2009

Jason & Anna Geisinger 212 Wickersham Way Baltimore, MD 21030

Dear: Jason & Anna Geisinger

RE: Case Number 2009-0294-A, 212 Wickersham Way

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 13, 2009. 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,

u. Calribald

W. Carl Richards, Jr. Supervisor, Zöning Review

WCR:lnw

Enclosures

c: People's Counsel

Dave McMahon; 7110 Golden Ring Rd.; Baltimore, MD 21221

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

DATE: June 8, 2009

RECEIVED

JUN 09 2009

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-294- 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 June 4, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 26, 2009

Item Numbers 0293,0294,0295,0296,0297,0298,0299,0300 and 0301

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

INTEROFFICE CORRESPONDENCE

DATE: June 1, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kehnedy, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 1, 2009

Item Nos. 2009-293, 294, 295, 296,

297, 298, 299, 300 and 301

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

DAK:CEN:cab

cc: File

ZAC-06012009 -NO COMMENTS

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

June 4, 2009

SUBJECT:

Zoning Item # 09-294-A

Address

212 Wickersham Way

(Geisinger Property)

Zoning Advisory Committee Meeting of May 26, 2009

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

Reviewer:

JWL

Date: 6/4/09

INTER-OFFICE CORRESPONDENCE

DATE: June 8, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-294- 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



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

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

Maryland Department of Transportation

Date: JUNE 1,2009

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

RE: Baltimore County

Item No 2009-0294-A 212 WICKERSHAM WAY GEISINGER PROPERTY ADMIN. VARIABLE -

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. 2009-0294-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,

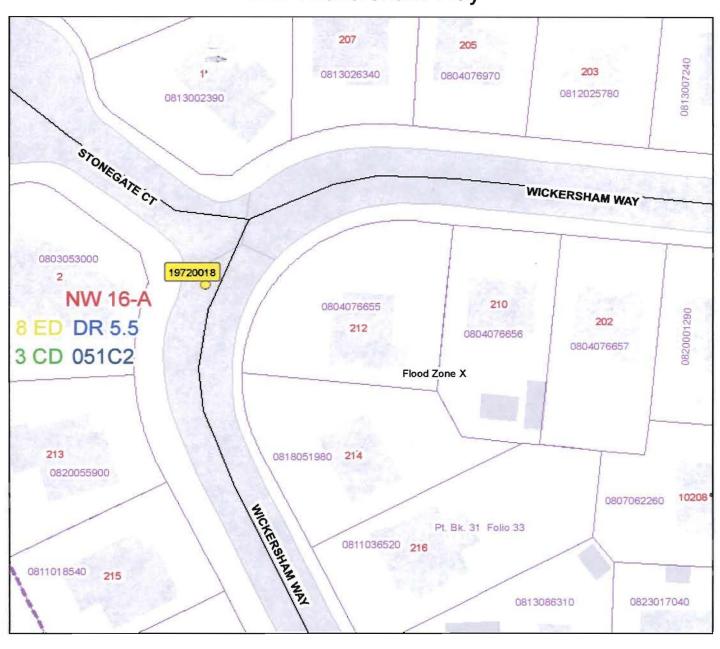
For Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

212 Wickersham Way



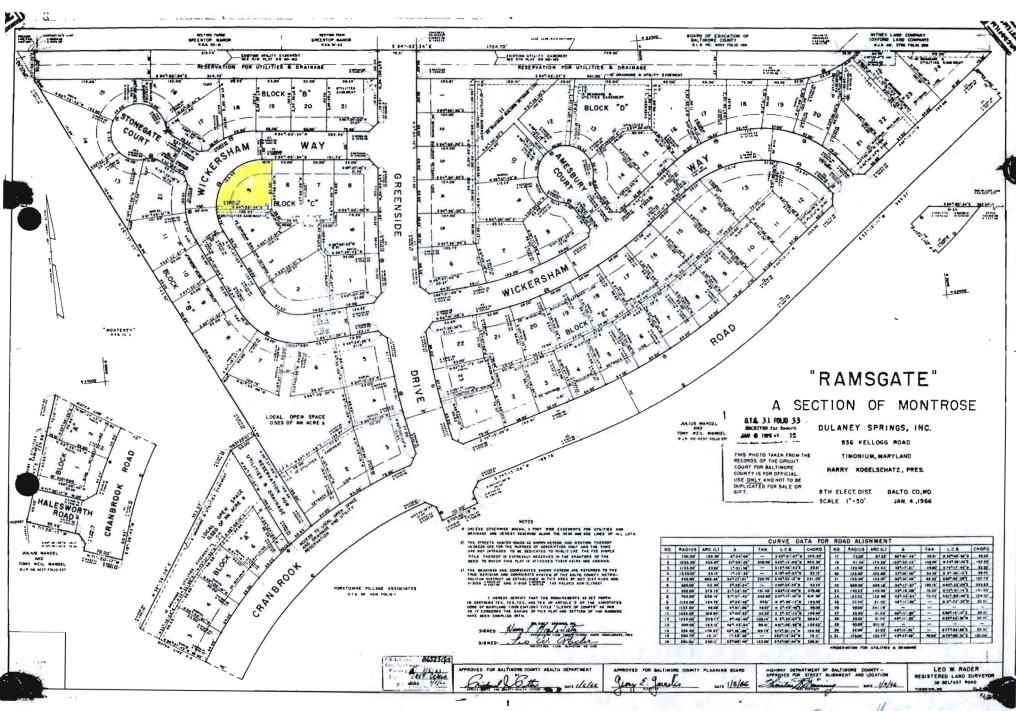


Publication Date: May 13, 2009 Publication Agency: Department of Permits & Development Management Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





Item #0294



Item #0294





Tax Exempt:

Exempt Class:

NO

Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search (2007 vw3.1)

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Special Tax Recapture:

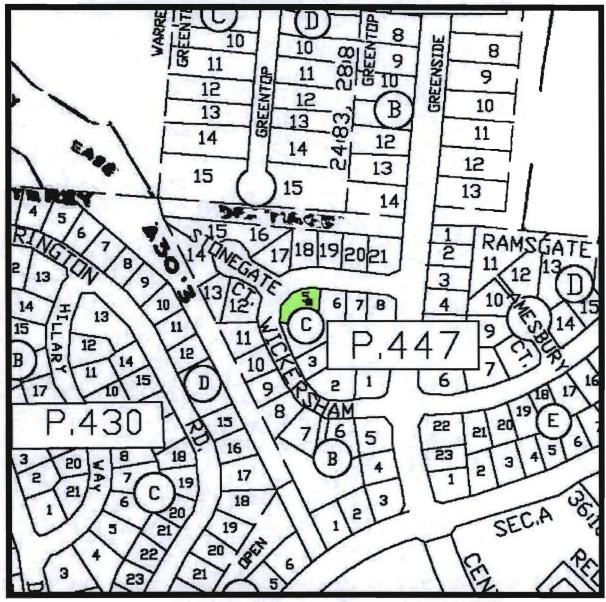
* NONE *

Account Identifier: District - 08 Account Number - 0804076655 **Owner Information Owner Name:** GEISINGER JASON R Use: RESIDENTIAL GEISINGER ANNA M **Principal Residence:** YES **Mailing Address:** 212 WICKERSHAM WAY **Deed Reference:** 1) /15710/629 COCKEYSVILLE MD 21030-3316 **Location & Structure Information Premises Address Legal Description** 212 WICKERSHAM WAY 212 WICKERSHAM WAY RAMSGATE **Sub District** Мар Grid **Parcel Subdivision** Block Lot Plat No: Section **Assessment Area** 51 11 447 Plat Ref: C 5 31/33 Town Ad Valorem **Special Tax Areas** Tax Class **Primary Structure Built Enclosed Area Property Land Area** County Use 1970 1,952 SF 14,159.00 SF 04 **Stories** Basement Type Exterior STANDARD UNIT YES 1/2 BRICK SIDING **Value Information** Base Value Value **Phase-in Assessments** As Of As Of As Of 01/01/2008 07/01/2008 07/01/2009 Land 87,530 128,780 Improvements: 233,150 243,740 Total: 320,680 372,520 337,960 355,240 **Preferential Land: Transfer Information** Seller: KINNIARD JOHN Date: 10/31/2001 Price: \$249,900 Type: IMPROVED ARMS-LENGTH Deed1: /15710/ 629 Deed 2: Seller: MULLEN ARTHUR L,JR Date: 12/04/1979 Price: \$82,200 IMPROVED ARMS-LENGTH Deed1: / 6111/ 404 Deed2: Type: Seller: Date: Price: Type: Deed1: Deed 2: **Exemption Information** 07/01/2008 **Partial Exempt Assessments** Class 07/01/2009 000 0 County State 000 0 0 000 0 0 Municipal



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District - 08 Account Number - 0804076655



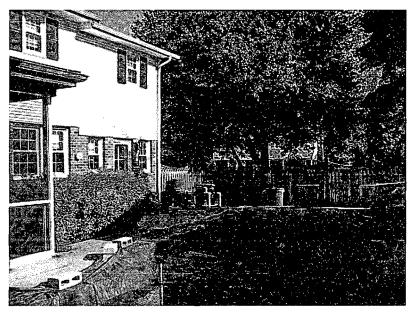
Property maps provided courtesy of the Maryland Department of Planning ©2008. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html



Front Veiw of our property 212 Wickersham Way



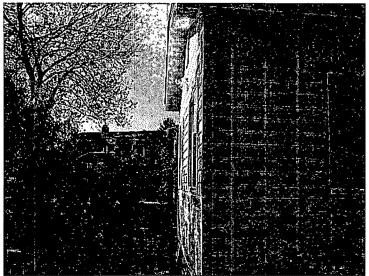
Location of proposed patio room.
Under existing roof



Veiw of our rear yard

Item # 0294







Veiw of patio rooms within 200ft of property

shown,

210 Wickersham Way 214 Wickersham Way 208 Wickersham Way

