IN RE: PETITION FOR ADMIN. VARIANCE

N side of Wilson Green Court; 500 feet NW of the c/l of Old Grey Mare Court (700 Wilson Green Court)

4th Election District
2nd Council District

Ralph E. Thomas Jr., et ux *Petitioners*

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY

* Case No. 2010-0134-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Ralph E. Thomas Jr., and his wife, Karen A. Thomas. Variance relief is requested from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a front garage addition with a setback of 21 feet in lieu of the required 25 feet and to amend the Final Development Plan of Wilson Farm for Lot 130 only. The subject property and requested relief are more particularly described on the site plan which was accepted into evidence and marked as Petitioners' Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

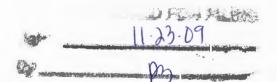
11.23.09

Based upon the evidence contained therein, I am persuaded to grant the requested variance. Relief is necessitated given the unique configuration of the property and the layout and location of the existing dwelling thereon. As shown on the site plan, the Petitioners propose to construct a garage addition that will enable them to have a three car side-loaded garage. Petitioners' home is the only one on the street with a front-loaded two car garage. As part of the garage renovation, a new macadam driveway will be constructed to accommodate the additional bay and provide additional off-street parking. The garage addition and larger macadam driveway will accommodate the Petitioners' three vehicles as well as vehicles driven by visitors. Photographs submitted with the Petitioner clearly illustrate that neighboring properties enjoy the convenience of side-loaded three car garages. None of the neighbors on Wilson Green Court expressed any opposition to the garage addition. 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.

There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and none of the neighbors voiced any objection. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

this 23 day of November, 2009 that the Petition for Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a front garage addition with a setback of 21 feet in lieu of the required 25 feet and to amend the Final Development Plan of Wilson Farm for Lot 130 only and is hereby GRANTED, subject to the following restriction:



1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:pz



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

November 23, 2009

Ralph E. Thomas Jr. and Karen A. Thomas 700 Wilson Green Court Reisterstown MD 21136

RE: Petition for Administrative Variance 700 Wilson Green Court Case No. 2010-0134-A

Dear Mr. and Mrs. Thomas:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very traly yours,

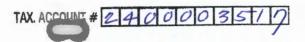
LIAMI. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:pz

Enclosure

c: Rusty Moye, Architectural Design Build, 3712 Old Milford Mill Road, Baltimore MD 21244





CASE NO.

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 700 whom Green Cf.
which is presently zoned DR 2

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) 1802.3 B; 504 (CMDP)

To permit a front garage addition with a setback of 21 feet in lieu of the required 25 feet and to amend the final development plan of "Wilson Farm" for lot number 130 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 perjury, that I/we are the legal is the subject of this Petition.	affirm, under the owner(s) of the	e penalties of property which
Contract Purchaser/Less	ee:		Legal Owner(s):		
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Signature			Signature A.	Thomas	
Address		Telephone No.	Name Type or Print	. Thom	ras
City	State	Zip Code	Signature		(410)
Attorney For Petitioner:			700 Wilson G	reen of	
		•	Address		Telephone No.
			KEISTERSTOW	State	21136 Zip Code
lame - Type or Print			City		Zip Code
			Representative to be Co	<u>ontacted:</u>	
Signature	1 14 . 1.		Rusty Moye		
Company			Name		C 443722386
			3712 Old MIL FORE	MILLRO	104109226822
Address	**	Telephone No.	Address		Telephone No.
,	CALAN	7in Codo	WILLCSOR MILL	mA. State	2/299 Zin Code
City	State	Zip Code	Спу	State	Zip Code
A Public Hearing having been for his day of egulations of Baltimore County and	. th	nat the subject matter of th	required, it is ordered by the Zoning is petition be set for a public hearing, a	Commissioner of advertised, as req	Baltimore County, uired by the zoning
			Zoning Commissioner of	f Baltimore Count	w
			Zoring Cornaissioner o	- Partillole Conit	,

Estimated Posting Date

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	200 WILSON Green Ct.
	Addies
	Keisterstown MD 21136 City State Zip Code
	ring are the facts upon which I/we base the request for an Administrative or practical difficulty):
My house is located in	the middle of the Cincle which men
ral co Park an the 37	the middle of the Cincle which menters that the cor is parked in the middle
ches certain	
of the circle.	the 2 car garage
we connowly have 3 Ch	and a contract of the contract of
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2 CAr garage	
Be having A 3 car side load 9	arage we will be able to also hand,
Addisonal CAR with a wider	Bigger and Longer driveway
The Interior I smout of the Ex	isting garage NECESSITATES A SIDE los
GATAGE SUR 3 CATS Not to	nexting garage NECESSITATES A 18ide los
That the Affiant(s) acknowledge(s) that if a forr	mal demand is filed, Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide ad	ditional information.
- 10 pt 11/	Land of The
Signature	Lacen A. Thomas Signature
Name Type or Frint	Name - Type or Print
Name - Type or Frint	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMO	PRE, to wit:
I HEREBY CERTIFY, this 9th day of Octor of Maryland, in and for the County aforesaid, personal county aforesaid, personal county aforesaid.	bcf, 2W1, before me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfact	Karen Thomas orily identified to me as such Affiant(s)
moviment (o) nor only, por oction, y	ony isometric to the decision and individual to the decision of the decision o
AS WITNESS my hand and Notarial Seal	
	But to Host Taxe
0	Notary Public My Commission Expires June 1, 2010
	My Commission Expires

Zoning Description for: 700 Wilson	n Green Ct
Beginning at a point on the North	side of
Wilson Green Ctwhich is (name of street on which property fronts)	(number of feet of right of way width)
wide at the distance of 500' (number of f	Northwest of the center line
of the nearest improved intersecting	ng street Old Grey Mare Ct. (name of street)
which is 40' (number of feet of right of way	width) width *Being Lot # 130
in the subdivision of	Wilson Farm
as recorded in Baltimore County I	Plat Book <u># 77,</u> Folio <u># 184,</u>
containing 28,226 sq. ft. Also know (square feet or acres)	wn as 700 Wilson Green Ct. (property address)
and located in the 4 th Election Dist	rict. 2 nd councilmanic District.

2010-0134-A

DALTINIUME COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

			7			1,		
Case	Number 201	0-0134	-A	Address	700	Wilson C	ARCEN (<u>-</u> 4.
	ct Person:	Planner,	Asi lew s/e					10-887-3391
Filing	Date:	/19/09	Post	ing Date:	11/1/09	_ Clo	sing Date	: 1/16/09
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Petition	er's Name	Ralph + A	KAREN T.	HOMAS		Telephone	410-8	133-1148
Posting	g Date:	11/1/09		Clo	sing Dat	e:	6/09	
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Revised 8/20/09

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CASHIER'S VALIDATION







Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcclimited.com

INVOICE FOR SIGN POSTING

October 27, 2009

Mr. Rusty Moye Architectural Design Build 3712 Old Milford Mill Road Baltimore, MD 21244

Case Number: #2010-0134-A Address of sign posted 700 Wilson Green Court Reisterstown, MD 21136-1745



ALL SIGNS MUST BE RETURNED TO OUR OFFICE ON NOVEMBER 30, 2009.

SERVICES INCLUDED IN THE FEE ABOVE

- · Prepare a sign
- Post the sign on the subject property
- · Take photographs of the sign in place on the subject property
- Fill out a Posting Certification and provide it to Baltimore County

Palgo 20my Fax Into Fa Pormy 410 887 3468



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors . Established 1906

Suite 100 - 320 East Towsontown Boulevard - Towson, Maryland 21286 Phone: (410) 823-4470 - Fax: (410) 823-4473 - www.gcellimited.com

CERTIFICATE OF POSTING

RE: CASE #2010-0134-A

PETITIONER: Raiph & Karen Thomas

DATE OF CLOSING: Nov. 16, 2009

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

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

LOCATION: 700 Wilson Green Court

(see page 2 for full size photo)

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD SUITE 100 320EAST TOWSONTOWN BLVD TOWSON, MARYLAND 21286 410-823-4470 PHONE 410-823-4473 FAX

POSTED ON: 10/ 27/ 09



VARIANCE

CASE #: 2010-0134-A

To permit a front garage addition with a setback of 21 feet in lieu of the required 25 feet; and to amend the final development plan of "Wilson Farm" for Lot 130 only

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARE NCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON November 16, 2009

ADDITIONAL INFORMATION IS AVAILABLE AT 111 W. CHESAPEAKE AVE. TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL ABOVE DATE UNDER PENALTY OF LAW





JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 16, 2009

Ralph and Karen 700 Wilson Green Ct. Reisterstown, MD 21136

Dear: Ralph and Karen

RE: Case Number 2010-0134-A, 700 Wilson Green Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 19, 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. Cal Richa

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

Rusty Moye; 3712 Old Mill Rd.; Windsor Mill, MD 21244

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 2, 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) 10-134- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request.

For further questions or additional information concerning the matters stated herein, please contact Diana Itter 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 October 8, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 26. 2009

Item Numbers: 0134,0135,0136,0137,0138

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



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

Neil J. Pedersen, Administrator

Beverley K. Swaim-Staley, Secretary

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10/30/2009

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

RE: **Baltimore County**

Item No. 20 10 - 0 134-A

700 WILSON GREEN CT THOMAS PROPERTY ADMIN 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. 20 17 D134-A.

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

Very truly yours

Engineering Access Permits

Division

SDF/mb

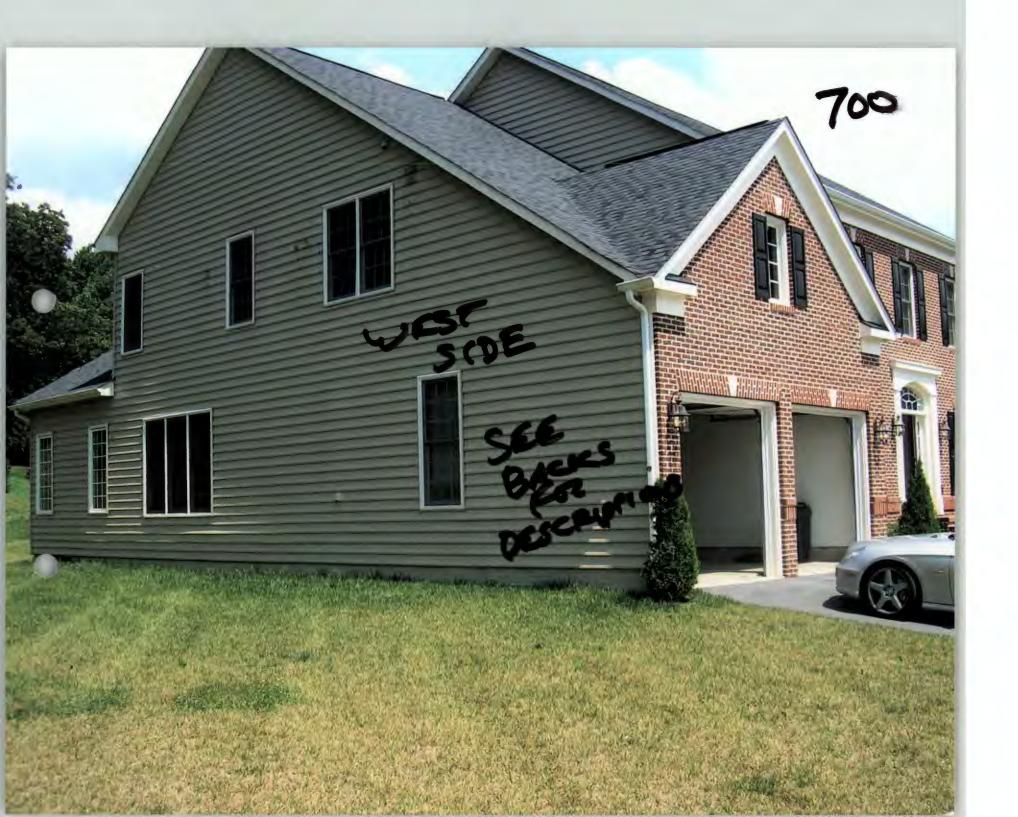


Exempt Class:

Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search (2007 vw6.3d)

Go Back **View Map New Search**

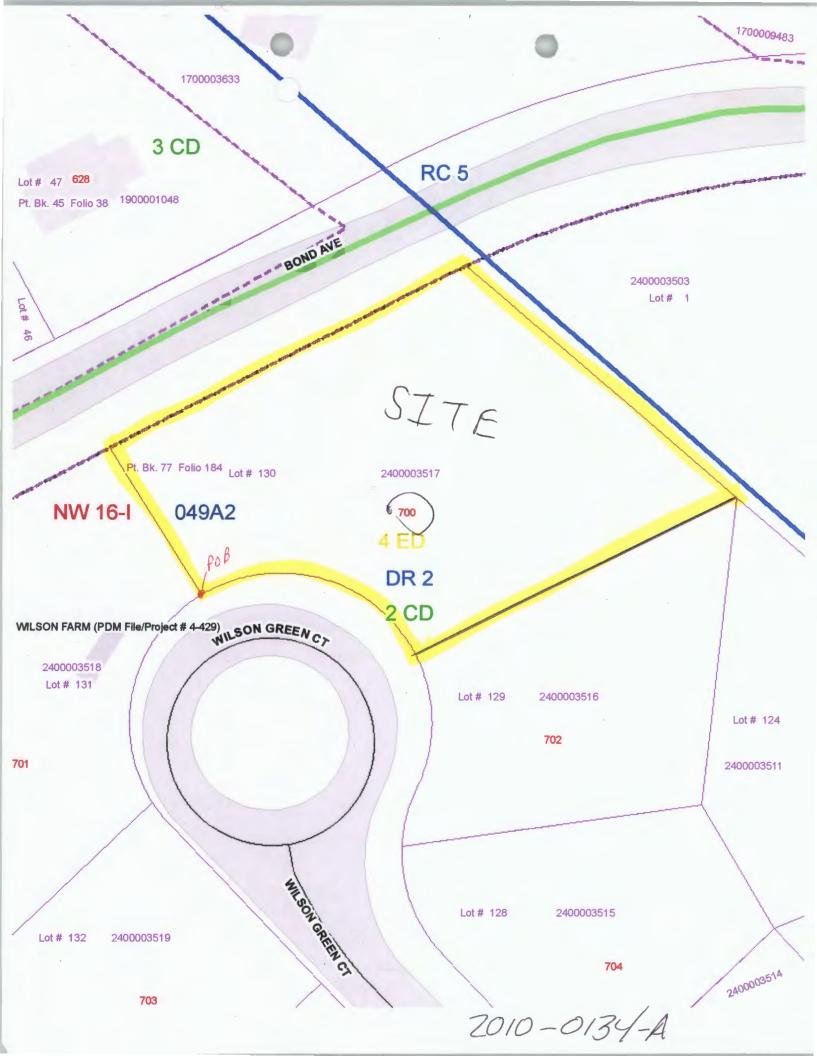
Account Identifier: District - 04 Account Number - 2400003517 **Owner Information** RESIDENTIAL **Owner Name:** THOMAS RALPH E,JR Use: THOMAS KAREN A **Principal Residence:** 700 WILSON GREEN CT **Deed Reference:** 1) /28688/ 463 **Mailing Address: REISTERSTOWN MD 21136-1745** 2) Location & Structure Information **Legal Description Premises Address** 648 AC 700 WILSON GREEN CT 700 WILSON GREEN CT NS WILSON FARM Block Lot Plat No: **Sub District** Subdivision Section **Assessment Area** 8 Map Grid **Parcel** 130 Plat Ref: 77/ 184 49 8 1 Town **Special Tax Areas Ad Valorem** Tax Class **Primary Structure Built Enclosed Area Property Land Area County Use** 4,360 SF 28,226.00 SF 2006 04 Exterior **Basement Stories** Type YES STANDARD UNIT SIDING 2 Value Information **Base Value** Value **Phase-in Assessments** As Of As Of As Of 07/01/2010 01/01/2007 07/01/2009 256,050 256,050 Land Improvements: 606,610 606,610 862,660 NOT AVAIL 862,660 862,660 Total: **NOT AVAIL Preferential Land: Transfer Information** 09/28/2009 Price: \$635,000 CARTUS FINANCIAL CORPORATION Date: Seller: Deed1: /28688/ 463 Deed2: IMPROVED ARMS-LENGTH Type: Date: 10/07/2008 Price: \$780,000 JOHNSON STEVIE Seller: Deed1: Deed2: /27375/ 1 IMPROVED ARMS-LENGTH Type: Date: 03/27/2007 Price: \$881,750 WILSON FARM LLC Seller: Deed2: IMPROVED ARMS-LENGTH Deed1: /25409/ 529 Type: **Exemption Information** 07/01/2010 Class 07/01/2009 **Partial Exempt Assessments** 000 0 0 County 000 0 0 State 000 0 0 Municipal **Special Tax Recapture:** Tax Exempt: NO * NONE *











LAT TO ACCOMPANY PETITION FOR ZONING VARIANO PROPERTY ADDRESS 760 WILSON GREEN Ct. SEE PAGES 5 & 6 OF THE CHECKLIST F	SPECIAL HEARING OF ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME WILSON FARM	
PLAT BOOK # 77 FOLIO # 184 LOT # 130 SECTION #_	
OWNER KAREN & RAIPH THOMAS JR.	
166.74 SP	BOTO SE WILSON A
15, 768, 06 S. F. 129 16, 10 S. F. 129 16, 10 S. F. 129 17, 10 S. F. 129 18, 10 S	VICINITY MAP SCALE: 1" = 1000'
10 10 10 10 10 10 10 10 10 10 10 10 10 1	LOCATION INFORMATION ELECTION DISTRICT 4 ⁺¹⁴ COUNCILMANIC DISTRICT 2 ^{MD} 1"=200' SCALE MAP # 049A 2
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ORTH	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE
PARED BY R. MOYE DBA ARCHITETURAL DESIGN BUILD SCALE OF DRAWING: 1" = 60'	m 2010 0134