

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S Thornton Road, 125' N of * ZONING COMMISSIONER
Jamieson Road (8403 Thornton *
Road) *
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Robert L. Terry, et ux * Case No. 88-399-A
Petitioners *

MEMORANDUM AND ORDER

The Petitioners herein request a variance to permit a side yard setback of 9 feet in lieu of the required 10 feet and a rear yard setback of 17 feet in lieu of the required 30 feet as more particularly described on Petitioner's Exhibit 1 and 2.

The Petitioner appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Zoning Commissioner, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25th day of April, 1988 that approval of a variance to permit a side yard setback of 9 feet in lieu of the required 10 feet and a rear yard setback

of 17 feet in lieu of the required 30 feet be and is hereby GRANTED, subject, however, to the following restrictions

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 applicable 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 Petitioner shall not convert the subject property to a two dwelling unit building. No separate apartment attached to the current single family house is permitted. The Petitioner shall have only one kitchen on the subject site and, the wet bar included in the proposed addition shall not contain any stove and/or oven and no refrigerator of more than 4 cubic feet may be installed.
3. The Petitioner shall have a new deed, to the subject property, prepared and recorded among the Land Records of Baltimore County that, clearly, states the subject property is not a two family dwelling unit and shall reference zoning case #88-399-A. A copy of the said deed and proof of its recording shall be delivered to the Zoning Commissioner and become a permanent part of the record of zoning case #88-399-A.
4. The Petitioner shall contact the Baltimore County Office of Zoning Enforcement after all final building inspections have been completed for a zoning inspection to determine compliance with this Order.

J. Robert Haines
Zoning Commissioner of
Baltimore County

JRH:mm
cc:Peoples Counsel

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 2, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 2, 1988.

TOWSON TIMES.

Susan Shindler Shultz
Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 3, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 3, 1988.

THE JEFFERSONIAN,

Susan Shindler Shultz
Publisher

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 1802.3 B (208.4 and 208.3) to permit a side yard setback of 9 feet in lieu of the required 10 feet and a rear yard setback of 17 feet in lieu of the required 30 feet.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
1. Father, with heart condition, recently widowed, resulting in decision to consolidate households which established need for additional living space.
 2. After evaluation of housing Market it was determined addition to current family dwelling would be most practical approach.
 3. Attached are plans reflecting addition contemplated which incorporate optimum utilization of space without encroaching outside yard/play area and well as property symmetry.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this 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.

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:
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:
(Type or Print Name)

Legal Owner(s):

Robert L. Terry, Jr.
(Type or Print Name)

Signature

Address

City and State

Address

Phone No.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 47496

State

and phone number of legal owner, contact or representative to be contacted

DATE 4/17/88 ACCOUNT 01512

AMOUNT \$ 31.00

RECEIVED FROM Robert L. Terry, Jr.

FOR 8403 Thornton Road, 125' N of Jamieson Road, 8th Election District, 3rd Councilmanic District, Baltimore County, Md. 21204

VALIDATION OR SIGNATURE OF CARRIER

ESTIMATED LENGTH OF HEARING 1-1/2 HRS. +1HR.

AVAILABLE FOR HEARING MON. / TUESDAY - NEXT TWO MONTHS (over)

DATE 4/17/88

RECEIVED BY: CKR

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case Number: 88-399-A
E/S Thornton Road, 125' N. of Jamieson Road
(8403 Thornton Road)
8th Election District - 3rd Councilmanic District
Petitioner(s): Robert L. Terry, Jr., et ux
HEARING SCHEDULED: THURSDAY, MARCH 17, 1988 at 11:00 a.m.

Variance to permit a side yard setback of 9 feet in lieu of the required 10 feet and rear yard setback of 17 feet in lieu of the required 30 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Mr. & Mrs. Terry
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: 3-16-88

Mr. & Mrs. Robert L. Terry, Jr.
8403 Thornton Road
Lutherville, Maryland 21083

Re: Case Number: 88-399-A
E/S Thornton Road, 125' N of Jamieson Road
(8403 Thornton Road)
8th Election District - 3rd Councilmanic District
Petitioner(s): Robert L. Terry, Jr., et ux
HEARING SCHEDULED: THURSDAY, MARCH 17, 1988 at 11:00 a.m.

Date: Mr. & Mrs. Terry

Please be advised that \$ 100.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 50304

DATE 4/17/88 ACCOUNT 01512

AMOUNT \$ 100.95

RECEIVED FROM Robert L. Terry, Jr.

FOR 8403 Thornton Road, 125' N of Jamieson Road, 8th Election District, 3rd Councilmanic District, Baltimore County, Md. 21204

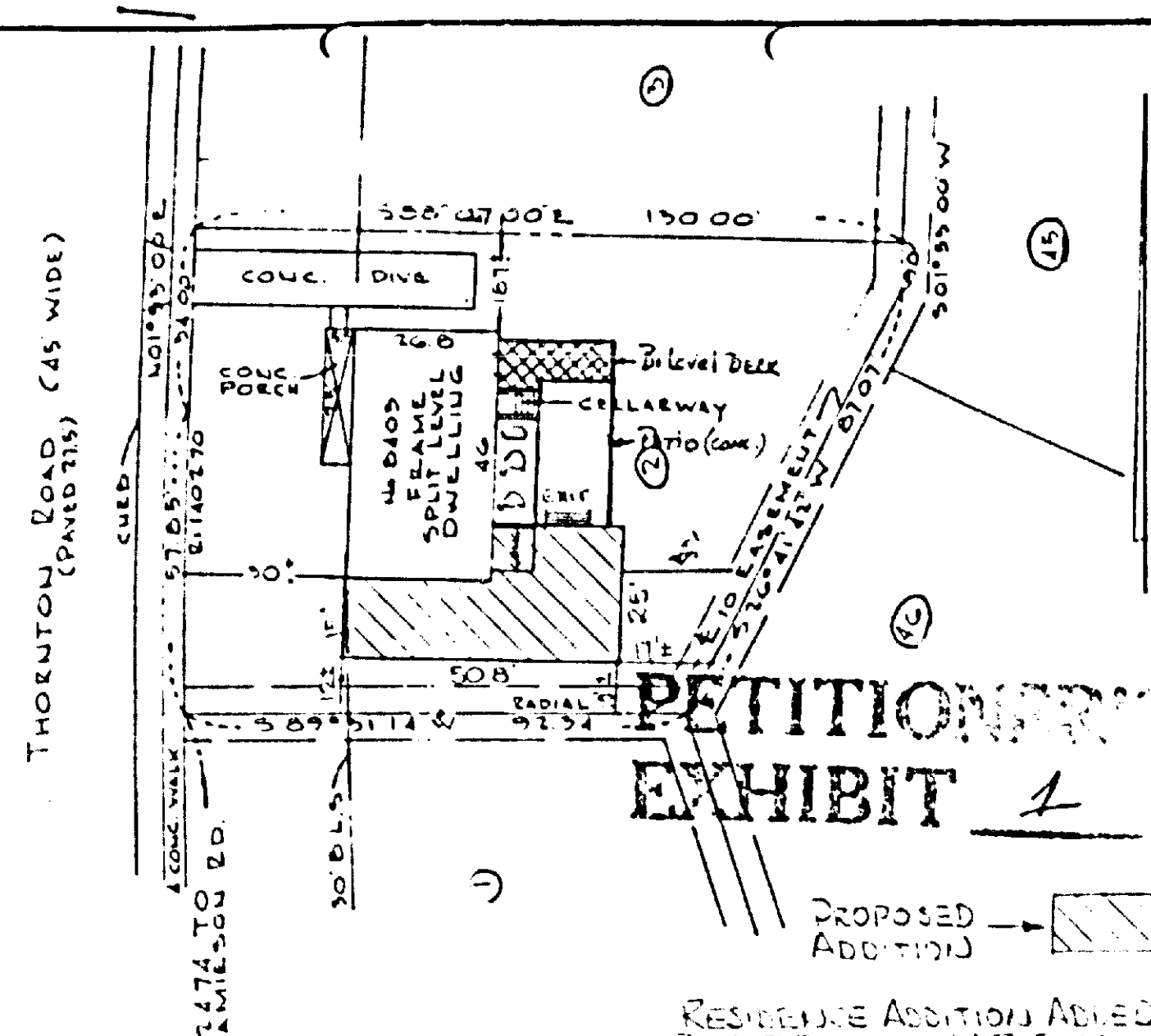
VALIDATION OR SIGNATURE OF CARRIER

ESTIMATED LENGTH OF HEARING 1-1/2 HRS. +1HR.

AVAILABLE FOR HEARING MON. / TUESDAY - NEXT TWO MONTHS (over)

DATE 4/17/88

RECEIVED BY: CKR



I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.

OWNER - Robert L. Jr. and Wendy L. Terry
SUBDIVISION - 8th District - Residential
SUBDIVISION Plate One, Section Three, Thornleigh
LOT #2: E/S A, Book G, L.B. #25, Folio 26
LOT SIZE: 12,274 sq. ft., .31 acres
SCALE: 1" = 30'

REG. NO. 8012

SCALE 1" = 30'

LOCATION SURVEY 8403 Thornton Road 8th District Balto. Co., Md.

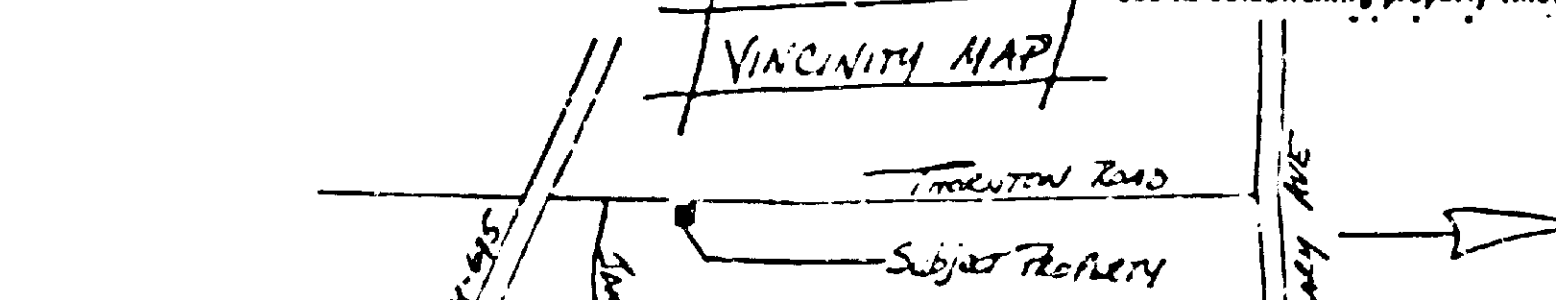
DATE 8/1/79

JOB No. 9 Lake Forest Court

7-7/79 Baltimore, Md 21234



NOTE: This plat is not intended for use in establishing property lines.



A R GRAPHICS
113 GOTHARD RD
LUTHERVILLE MD

AR

SCALE 1/4" = 1'-0"

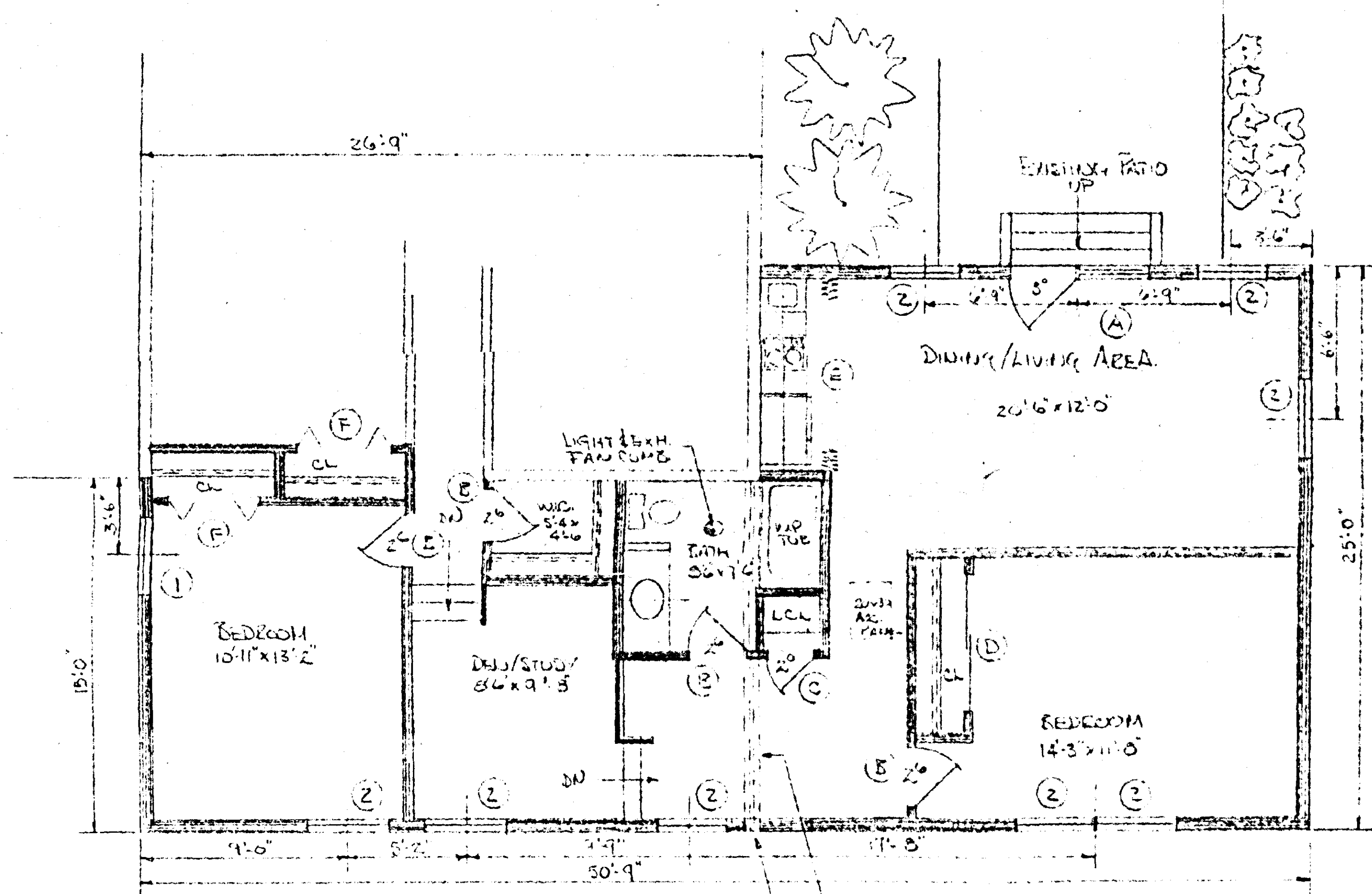
DRAWN BY: A.R. GRAPHICS
A.R. CASSELL

ADDITION
FLOOR PLAN

TERRY RESIDENCE
5403 THORNTON RD
LUTHERVILLE MD 21093

0-0-81

REV. 1



WINDOW & DOOR SCHEDULE

1	REMOVE EXISTING TO MATCH OTHER FRONT	1
2	3046 ANGERED	8
A	6'-0" x 6'-0" ATRIUM	1
B	20'-6" INTERIOR	4
C	20'-6" INTERIOR	1
D	6'-0" x 6'-0" SLIDING DOOR	1
E	8'-0" x 7'-0" FOLDING DOOR	1
F	4'-0" x 6'-0" BIFOLD	2
G	ANU31 BACKBUTT	1
H	(SEE FOUND. PLAN) 20'-6" INTERIOR	1

NOTE: ALL CLOSETS EXCEPT LIVING CLOSET HAVE ONE SHELF W/ DING ROD. LIVING CLOSET HAS SHelves ONLY

FLOOR PLAN

SCALE 1/4" = 1'-0"

PETITIONER'S
EXHIBIT 2

*****NOTICE*****
STRUCTURE IS TO BE BUILT IN ACCORDANCE WITH LATEST A.C.I./A.C.A.S.O. CODES, LOCAL JURISDICTIONAL CODES OR IN ACCORDANCE WITH THE CLIENTS SPECIFICATIONS WHICH EVER IS MORE STRINGENT.
STRUCTURAL SIZES INDICATED ON THE DRAWING ARE FOR ESTIMATE PURPOSES ONLY AND THE CLIENTS CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE STRUCTURAL SUITABILITY OF ALL MEMBERS SHOWN.
THE CLIENT HIMSELF OR THEIR CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND DIMENSIONS PRIOR TO THE USE OF THESE PLANS FOR ANY PURPOSE.