

IN RE: PETITION FOR ZONING VARIANCE
NW/4 Shaded Brook Drive, 122'
W c/1 Hidden Trail Drive
(2304 Shaded Brook Drive)
3rd Election District
3rd Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-1-A

Cary M. Glasser, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a property line setback of 20 feet in lieu of the required 50 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Joanne Glasser, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 2304 Shaded Brook Drive, is zoned R.C.5. Petitioners are desirous of adding a garage to their family dwelling. Due to the location of the septic system and well on the property, the addition cannot be built without seeking a variance.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, 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 Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, 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 7th day of July, 1988 that the Petition for Zoning Variance to permit a property line setback of 20 feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 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.

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:mmn
cc: Peoples Counsel

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

J. Robert Haines
Zoning Commissioner

July 8, 1988



Dennis F. Rasmussen
County Executive

Dr. and Mrs. Cary M. Glasser
2304 Shaded Brook Drive
Owings Mills, Maryland 21117

RE: Petition for Zoning Variance
Case No. 89-1-A

Dear Dr. and Mrs. Glasser:

Pursuant to the recent hearing held on the above captioned case, please be advised that your Petition for Zoning Variance has been GRANTED, copy of which is attached hereto.

If you have any questions concerning the above matter, please do not hesitate to contact this office.

Very truly yours,

Ann M. Nastarowicz
Ann M. Nastarowicz
Deputy Zoning Commissioner

AMN:mmn
att.
CC: Peoples Counsel

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

J. Robert Haines
Zoning Commissioner

May 20, 1988

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:

Petition for Zoning Variance
CASE NUMBER: 89-1-A
NW/4 Shaded Brook Drive, 122' W c/1 Hidden Trail Drive
(2304 Shaded Brook Drive)
3rd Election District - 3rd Councilmanic
Petitioner(s): Cary M. Glasser, et ux
HEARING SCHEDULED: THURSDAY, JUNE 30, 1988 at 2:00 p.m.

Variance to permit a property line setback of 20 feet in lieu of the required 50 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: Cary M. Glasser, et ux
File

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., June 23, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on June 23, 1988.

OWINGS MILLS TIMES,

S. Zebe Orlan
Publisher

33.75

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., June 9, 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 June 9, 1988.

THE JEFFERSONIAN,

S. Zebe Orlan
Publisher

33.75

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:
Petition for Zoning Variance
CASE NUMBER: 89-1-A
NW/4 Shaded Brook Drive, 122' W c/1 Hidden Trail Drive
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J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
1-279 June 23, 1988

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd
Posted for: Variance
Petitioner: Cary M. Glasser et ux
Location of property: NW/4 Shaded Brook Drive, 122' W c/1 Hidden Trail Drive (2304 Shaded Brook Drive)
Location of Sign: Dr. front of 2304 Shaded Brook Drive
Remarks: S. Zebe Orlan
Posted by: S. Zebe Orlan
Number of Signs: 1
Date of Posting: June 7, 1988
Date of return: June 10, 1988

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 103.3 (1A01.3.B.3 R.D.P.) to permit a property line setback of 20 feet in lieu of the required 50 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. The current dwelling has the septic system located in the front of said dwelling thereby precluding any additions and/or alterations.

2. The current dwelling has the well located in the rear of said dwelling thereby precluding any additions and/or alterations.

3. The current dwelling has both sides of said dwelling situated at the setback lines.

4. The uniqueness of the current dwelling location necessitates this petition for a Variance 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:	Legal Owner(s):
(Type or Print Name)	Cary M. Glasser
Signature	<i>Cary M. Glasser</i>
Address	Joanne K. Glasser
City and State	(Type or Print Name)
Attorney for Petitioner:	2304 Shaded Brook Drive 363-2161
(Type or Print Name)	Address Phone No.
Signature	Owings Mills, Maryland 21117
Address	City and State
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Attorney's Telephone No.:	Name Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of May, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of June, 1988, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING - 1/2HR. + 1HR.
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS (over)
ALL OTHER DATE
VIEWED BY: DATE

ZONING DESCRIPTION

Beginning on the North West Side of Shaded Brook Drive 122 feet West of the centerline of Hidden Trail Drive. Being lot #72 Valley Heights 51/62, 40/37 Plat #3. Containing 2.20 acres in the Third Election District. Also known as #2304 Shaded Brook Drive.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Cary M. Glasser
2304 Shaded Brook Drive
Owings Mills, Maryland 21117

Date: 6/15/88



Dennis F. Rasmussen
County Executive

Re: Petition for Zoning Variance
CASE NUMBER: 89-1-A
NW/5 Shaded Brook Drive, 122' W c/l Hidden Trail Drive
(2304 Shaded Brook Drive)
3rd Election District - 3rd Councilmanic
Petitioner(s): Cary M. Glasser, et ux
HEARING SCHEDULED: THURSDAY, JUNE 30, 1988 at 2:00 p.m.

Dear Mr. & Mrs. Glasser:

Please be advised that \$250.00 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 Building, 111 W. Chesapeake Ave., Towson, Maryland 21204, fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 52716

DATE: 6/30/88 ACCOUNT: 201-115-000

AMOUNT: \$ 250.00

RECEIVED FROM: Cary M. Glasser, et ux

FOR: 6/30/88

B 165*****825018 601589-1-A

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

May 13, 1988

Dennis F. Rasmussen
County Executive

Re: Property Owner: Cary M. Glasser, et ux

Location: NW/5 Shaded Brook Dr., 122' W. of c/l Hidden Trail Dr.

Item No.: 407

Zoning Agenda: Meeting of 5/17/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: J. Robert Haines
Planning Group
Special Inspection Division

Noted and Approved: J. Robert Haines
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

Date: June 7, 1988

FROM: P. David Fields, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition #89-1-A, 89-13-XA

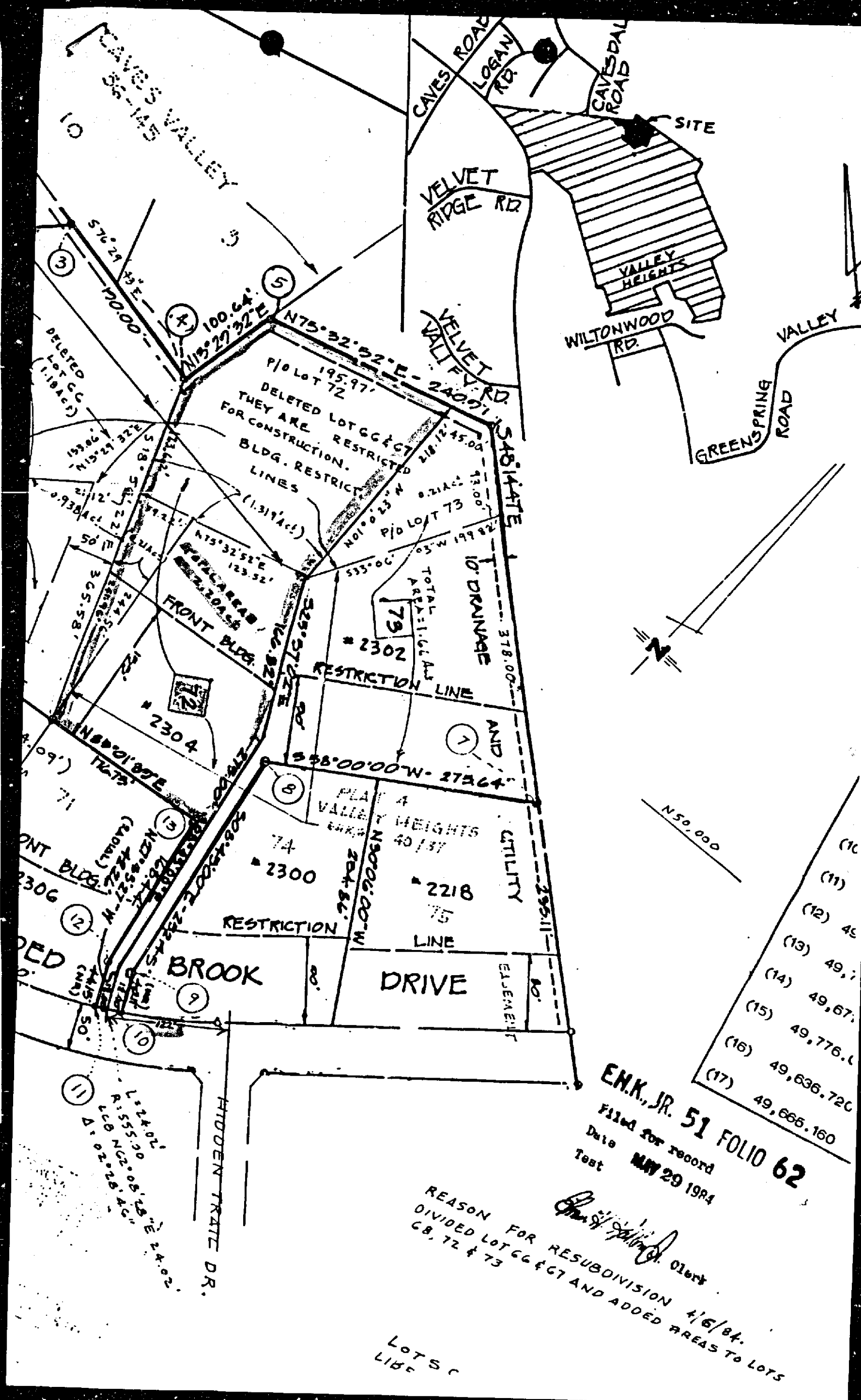
There are no comprehensive planning factors requiring comments on this petition.

P. David Fields per J. Haines
P. David Fields, Director
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J. Roswell
Zoning Office

cc: Cary M. Glasser, et ux

CPS-008



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 8, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Cary M. Glasser
2304 Shaded Brook Drive
Owings Mills, Maryland 21117

RE: Item No. 407 - Case No. 89-1-A
Petitioner: Cary M. Glasser, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Glasser:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:dt
Enclosures

89-1-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 18th day of May, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Cary M. Glasser, et ux
Petitioner's Attorney: Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee